1980 EDITION

Analysis of workers' compensation laws

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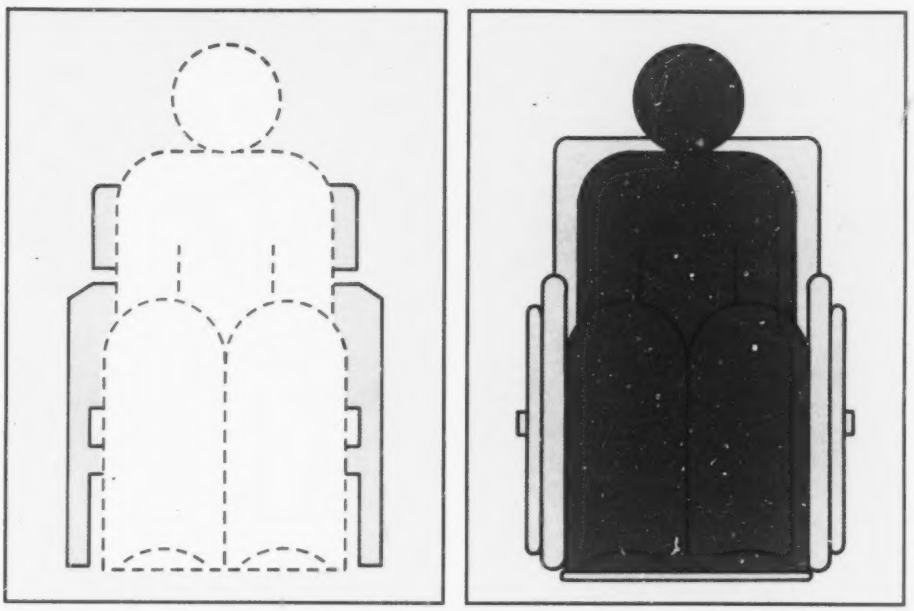

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FOREWORD

The 1980 edition of *Analysis of Workers' Compensation Laws* represents a major step forward in tracking the statutory provisions of United States and Canadian job-injury compensation laws. This edition is the most complete, thorough, and up-to-date in the history of the *Analysis*, and—we hope—the most readable.

As always, the *Analysis* offers a bird's-eye view of the important provisions of workers' compensation and is intended to provide both a comparison and an improved understanding of the various laws. Fifteen detailed charts are presented to aid employers, employees, insurance firms, agents, brokers, attorneys, physicians, and others in locating specific provisions of workers' compensation laws.

Although the *Analysis* provides essential information needed daily in many business offices, it should not be considered as supplanting exact provisions to be found in statutory texts.

Adoption of a new printing process has permitted an overhaul of the entire volume. Its scope has been expanded to include the statutory provisions of American Samoa and the U.S. Virgin Islands, as well as the laws of the 50 states, the District of Columbia, Guam, and Puerto Rico. Fuller treatment is also provided for the federal, provincial, and territorial laws of Canada.

A specific change in the format is the substitution of asterisks for footnote numbers wherever possible throughout the volume. In addition, all charts now read down the page, requiring deletion of one column each from Charts IV (Occupational Diseases) and X (Administration). The information contained in the two omitted columns was duplicative of data already in other charts. To better reflect current issues, Chart V (Total Disabilities) has been completely redrafted, and Chart VII (Fatalities) has been rearranged. Finally, a section explaining abbreviations and computations has been added at the end.

The underlying data required to bring together this publication were supplied by legislative reporting services, insurance companies, and government officials in the several states and jurisdictions. Information on the names and addresses of the administrators and commissioners was furnished by the International Association of Industrial Accident Boards and Commissions. Additional assistance came from the U.S. Department of Labor and the Social Security Administration, U.S. Department of Health and Human Services.

The legal research, analysis, and editing of the charts and text was furnished by Eric J. Oxfeld, member of the District of Columbia bar and associate director, employee benefits, in the Human and Community Resources Division of the Chamber of Commerce of the United States. For further information, you can write to him at 1615 H Street, N.W., Washington, D.C. 20062 or phone (202) 659-6083.

All contributions to this publication are gratefully acknowledged.

Richard L. Lesher
President
Chamber of Commerce
of the United States

HISTORY OF WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY

Workers' compensation laws are designed to provide satisfactory means of handling occupational disabilities. A 20th century development in North America, the laws have evolved as the economy became more industrial and less agricultural.

Before these laws were enacted, a well-established common-law principle held that a master or employer was responsible for injury or death of employees *resulting from a negligent act by him*. Thus disabled workers who sued employers for damages had to prove their injuries were due to employer negligence—a slow, costly, uncertain legal process. As business enterprise and machine production expanded, the number of industrial accidents and personal-injury suits increased. At the close of the 19th century it was apparent that the accepted common-law defenses—contributory negligence, assumption of risk, negligent acts of fellow servants—operated too harshly on claims of disabled workers. The situation led to demands for new legal provisions.

As a result, between 1900 and 1910 so-called employer's liability laws were adopted by many states. Although they tended to modify common-law defenses, they did not prove completely satisfactory; employees still had to prove employer responsibility and negligence. Other legal remedies were urged.

A new answer was forthcoming: In 1911 the first workers' compensation laws were enacted in the United States on an enduring basis. The first comprehensive Canadian laws were enacted in 1915.

Today, each of the 50 states has a workers' compensation law. The compensation laws of American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands are also outlined in this *Analysis*. Federal workers' compensations laws have been enacted; for example, the District of Columbia Workmen's Compensation Act, the Federal Employees' Compensation Act, and the Longshoremen's and Harbor Workers' Compensation Act—the latter providing for private or public employees in nationwide maritime work. Each of the Canadian provinces and territories has a compensation act or ordinance.

In essence, workers' compensation laws hold that industrial employers should assume costs of occupational disabilities without regard to any fault involved. Resulting economic losses are considered costs of production—chargeable, to the extent possible, as a price factor. The laws serve to relieve employers of liability from common-law suits involving negligence.

Six basic objectives underlie workers' compensation laws. They:

1—Provide sure, prompt, and reasonable income and medical benefits to work-accident victims, or income benefits to their dependents, regardless of fault;

2—Provide a single remedy and reduce court delays, costs, and work loads arising out of personal-injury litigation;

3—Relieve public and private charities of financial drains—incident to uncompensated industrial accidents;

4—Eliminate payment of fees to lawyers and witnesses as well as time-consuming trials and appeals;

5—Encourage maximum employer interest in safety and rehabilitation through an appropriate experience-rating mechanism; and

6—Promote frank study of causes of accidents (rather than concealment of fault)—reducing preventable accidents and human suffering.

To what extent have the laws achieved desired objectives? Answers to this vary from state to state and depend on many factors including the viewpoint of the appraiser.

However, a 1972 evaluation by the National Commission on State Workmen's Compensation Laws concluded that state laws were not living up to their potential, and the Commission made 84 recommendations for the improvement of the system. Nineteen of these were labeled "essential." Despite this negative assessment, the Commission was convinced that workers' compensation is a fundamentally sound system and a valued institution in our industrial economy.

The constructive criticism rendered by the Commission gave new impetus to the development and growth of workers' compensation laws, and these laws now enjoy a more prominent role within the social insurance system of the United States. Nevertheless, it is still true that no state fully meets the 19 "essential recommendations" of the National Commission.

In January, 1976, the policy group of the Inter-Agency Workers' Compensation Task Force, with members from several U.S. government departments and agencies, reported its findings on the need for reform of state workers' compensation programs. Essentially, the Task Force found that existing programs must be reformed to bring about more effective management at the state level, with the federal government monitoring progress and providing technical assistance. The group felt that, without a reordering of priorities and a new mode of operation, workers' compensation would become more expensive, less equitable, and less effective. After completing its mission, the Task Force was merged with the Division of State Workers' Compensation Standards in the Office of Workers' Compensation Programs, Department of Labor.

The National Commission and the Task Force both rejected proposals to replace the various state programs with one federal program. Nevertheless, legislation has been introduced in the U.S. Congress for the past several years to give the federal government a direct role in the state systems by setting federally mandated "minimum standards." Although the Carter administration is on record as favoring the concept of federal standards, there has never been sufficient support for these bills to move them beyond the committee level.

INTRODUCTION
GENERAL INFORMATION

This analysis of workers' compensation laws attempts to provide a ready reference to the statutory provisions found in the federal, state, and territorial laws of the United States and the federal, provincial, and territorial laws of Canada. American Samoa, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands are included.

In the following pages, 15 charts will be found grouped under three categories:

- *Coverage of Laws*, listing the various requirements pertaining to employments, injuries, and diseases (Part I);
- *Benefits Provided*, detailing the required income replacement benefits and medical benefits (Part II);
- *Administration of Laws*, grouping the many administrative requirements and safeguards (Part III).

COMMENTS ON CHARTS

Complete to December 31, 1979, the charts on the following pages present the statutory provisions of the workers' compensation laws as amended. The effects of many decisions—by courts and administrative agencies—have been taken into account in interpreting these laws.

All provisions presented by the charts in this booklet have required study and interpretation to reduce them to the brief statements found in the charts. In some cases space does not permit sufficient explanation to clarify all points. In such cases it is suggested that the text of the law should be examined.

For an explanation of the abbreviations used in the charts and a note on benefit computations, see page 48.

UNITED STATES FEDERAL LAWS

Two federal workers' compensation laws are charted. The Federal Employees' Compensation Act governs compensation of all employees of the United States and District of Columbia governments. The Longshoremen's and Harbor Workers' Compensation Act provides job disability benefits for all U.S. maritime employment and certain others. Courts have held that the Longshore Act does not apply to maritime employment in Puerto Rico, however.

The District of Columbia Workmen's Compensation Act is a special act of Congress making the Longshore Act applicable to all private employment in Washington, D.C. The charts do not cover the Black Lung Act, the disability provisions of the Social Security program, or the Federal Employers' Liability Act (Jones Act).

CANADIAN LAWS

This booklet includes an analysis of the Canadian federal and provincial workers' compensation acts. Each province and territory administers its own act or ordinance. The federal Merchant Seamen's Compensation Act is charted, also.

Employees of the Canadian federal government are compensated under the Government Employees' Compensation Act, administered by Labour Canada. Compensation is paid by the Canadian government, but the amount is determined by the workers' compensation board for the province where the worker is usually employed. Government employees residing in the Northwest Territories or the Yukon Territory may receive compensation in accordance with the Alberta Act. In view of this arrangement, the charts do not include the Government Employees' Compensation Act except where it differs materially from the provincial acts.

ANNUAL COST

Reporting in *Social Security Bulletin*, the U.S. Department of Health and Human Services estimated that employers spent just over $14 billion in 1977 to insure or self-insure their work-injury risks. This was almost $3 billion, or 27 percent, higher than the 1976 cost of workers' compensation. The prior year, the increase in cost was 22.5 percent. Total costs to employers have more than doubled since 1973. The average cost per $100 of payroll jumped to $1.71 for 1977, compared with $1.47 for 1976.

A substantial part of this growth can be attributed to inflation, but there has been a continued rise in statutory benefit amounts, amounts payable for medical care, and indemnity awards. Medical costs totaled $2.74 billion in 1977 while compensation payments amounted to $5.84 billion—a total of $8.58 billion or about 68 percent of all workers' compensation costs. Figures for 1978 were not available at the time of publication.

RECENT CHANGES IN THE STATE LAWS

Every state legislature convened during 1979, as did Congress.

In all, nearly 200 laws were enacted covering almost every phase of workers' compensation, such as increasing benefits, coverage, and medical care and improving administration of the laws. Undoubtedly, much of the legislation enacted was a result of the continuing impact of the recommendations of the National Commission accompanied by the caveat that in the event the states failed to improve their laws so as to insure an adequate, prompt, and equitable workers' compensation system, it may become necessary to enact federal legislation requiring minimum standards.

Benefits: Indemnity benefits were increased in 48 jurisdictions this year. Of that number, 39 states now provide for the automatic adjustment of benefits annually, based upon the state average weekly wage. In 41 states, the maximum weekly benefit now equals or exceeds 66⅔ percent of the statewide average weekly wage for temporary total disability cases. Of these, 28 pay 100 percent or more.

Medical Care: In all jurisdictions, medical care is now unlimited.

Broad Coverage of Occupational Diseases: Broad coverage of occupational diseases is now provided in all jurisdictions.

Coverage: Fifty jurisdictions now provide for compulsory coverage under workers' compensation laws. Coverage is still elective in three states: South Carolina, New Jersey, and Texas. In 1977, 87.8 percent of all wage and salary employees were covered by workers' compensation laws; that was 3.5 percent, or 2.5 million more employees than in 1976. Covered payrolls amounted to approximately $824 billion, or 85.9 percent of total civilian wage and salary disbursements.

Numerical Exemptions: Eleven states provide for numerical exemptions of employees.

Wage-Loss: Florida enacted an extensive revision of its law, eliminating scheduled awards for permanent partial disability. Instead, $50 is payable for each percent of impairment from 1 to 50 and $100 for each percent of impairment over 50. In addition, wage-loss benefits are payable monthly at the rate of 95 percent of the difference between earnings after maximum medical improvement and 85 percent of pre-injury wages. Saskatchewan also enacted a wage-loss law.

NEXT EDITION OF THE ANALYSIS OF WORKERS' COMPENSATION LAWS

Forty-four state legislatures and Congress convene in 1980. Undoubtedly, there will be numerous changes in many workers' compensation laws. A complete revision of this volume is printed annually. The 1981 edition will be available in March, 1981. It will reflect changes made in workers' compensation laws up to January 1, 1981.

PART 1
COVERAGE OF LAWS

A basic and oft-repeated objective of workers' compensation on which there is broad agreement is that coverage under the acts should be virtually, if not completely, universal. For various historical, political, economic, or administrative reasons no state law covers all forms of employment.

Most of the reasons put forth against extension of coverage have lost their force, and by 1977 the proportion of all wage and salary employees covered by job-injury laws approached 88 percent. Charts I through III delineate the statutory employment coverage requirements.

Another basic objective for workers' compensation is to provide compensation for all work-related injuries and diseases. Note that workers' compensation does not seek to cover all worker health problems. To make this distinction, fairly uniform statutory definitions and tests have been adopted in each state. Typically the statute limits compensation benefits to "personal injury caused by accidents arising out of and in the course of employment."

Although the test is fairly uniform, its interpretation has not resulted in completely uniform coverage of injuries and diseases. Initially, this problem was remedied by providing coverage for specific occupational diseases. With advances in medical technology and increased exposures to a growing number of substances with a variety of physical stresses, it became impactical to define work-related diseases by specific enumeration. Most states have therefore amended their statutes to provide full coverage of occupational diseases. Chart IV portrays the status of the laws on this point.

TYPE OF LAW: CHART I

Compensation laws are compulsory or elective. Under an elective law, the employer may accept or reject the act, but if he rejects it he loses the three common-law defenses—assumption of risk, negligence of fellow employees, and contributory negligence. Practically, this means that all the laws, in effect, are "compulsory." A compulsory law requires each employer within its scope to accept its provisions and provide for benefits specified.

Suits for Damages—Under workers' compensation acts employers generally are exempted from damage suits. Where an employee rejects the act, and sues an employer who has accepted it, the employer usually retains the three common-law defenses. Conditions for rejection of the act often are so severe as to make the privilege virtually inoperative.

INSURANCE REQUIREMENTS: CHART I

Security for Payment of Benefits—Most jurisdictions require employers to obtain insurance or prove financial ability to carry their own risk.

Chart I notes provisions relating to (1) insurance requirements, (2) penalties for failure to insure, and (3) whether self-insurance is permitted.

Six states and most provinces require employers to insure in a monopolistic state or provincial fund; in some instances, employers may qualify as self-insurers. Twelve states permit employers to purchase insurance either from a competitive state fund or private insurance company. Five of the six monopolistic state funds were created between 1913 and 1915, when the principles of workers' compensation were still new.

The Chamber of Commerce of the United States advocates that employers be permitted to buy private insurance if they so desire and that employers who can qualify be allowed to be self-insurers. Chamber policy states:

"Insurance is an integral part of private enterprise. Insurance should not be regarded as a function to be carried on by the government, and insurance monopolies carried on by governmentally created entities should not be permitted."

Self-Insurers—Some large corporations prefer to assume liability for workers' compensation and avoid administrative costs associated with insurance policies. Group self-insurance may also be available to smaller employers who pool their risks and liabilities.

Self-insurance operates best when an employer has a spread of risks so large that he may benefit from the law of large numbers. It is necessary and desirable that the self-insurer establish his own protective services—similar to those insurance companies would furnish for safety engineering and claims adjustment. Also, the self-insurer may have to retain attorneys and doctors to handle problems incident to claims and medical and legal services.

Self-insurance is permitted in 47 states—as shown in Chart I. Chart I also reflects those states that specifically authorize group self-insurance.

Employers may set up a reserve fund for self-insurance to pay compensation and other benefits under the workers' compensation acts of the states. Contrary to the treatment accorded insurance premiums, amounts paid into this reserve fund are not always deductible from gross income as a business expense for income tax purposes. However, amounts paid out—as cash or medical benefits—are deductible.

In many cases insurance is purchased because such purchase can dispose of the item of expense and future cost in the current year.

PRIVATE AND PUBLIC EMPLOYMENTS: CHART II

Virtually all industrial employment is covered by workers' compensation. Chart II shows this in detail; also it indicates the extent of coverage for public employment.

Some jurisdictions cover all private employment; others exempt those with less than a stipulated number of employees. Most jurisdictions specifically exclude certain employments. Due to the nature of the work, farm labor, domestic servants, and casual employees usually are exempted. Most jurisdictions permit employees in an exempted class to be brought in voluntarily by the employer or by administrative agency order.

Many jurisdictions provide workers' compensation for all or certain classes of public employees.

MINORS: CHART III

Minors are covered by workers' compensation. However, in some jurisdictions double compensation or added penalties are provided—as shown in Chart III. In many states minors also enjoy special legal benefits provisions. These are specifically noted for each state.

OCCUPATIONAL DISEASES: CHART IV

Although workers' compensation laws initially had no specific provisions for occupational diseases, now all states recognize responsibility for them. Coverage varies—depending partly on the need and pertinency of occupational disease provisions.

Chart IV outlines occupational disease coverage available in each jurisdiction. Generally, compensation is the same as for disabilities noted in Chart V.

Occupational diseases usually become evident during employment or soon after exposure. However, as with radiation disabilities, the disease may be latent for considerable time. As Chart IV notes, many states have extended periods in which claims may be filed concerning certain latent, slowly developing occupational diseases.

Some states impose special restrictions regarding silicosis, asbestosis, radiation disability, and occupational loss of hearing due to noise (prolonged exposure cases).

Two equally important problems in the occupational disease field are determining (1) what diseases should be covered by law and (2) how hazards leading to them may be reduced. By com-

bining medical and engineering techniques much progress has been made. This approach requires determinations of the significance of health hazards involved and the design of controls to keep exposures below safety levels established by medical research.

Working independently or with insurance carriers' safety engineers, employers may eliminate many occupational disease hazards. In the development of many new materials and processes, constant vigilance is required of both engineers and doctors. Their cooperation has contributed outstandingly to solutions of many occupational disease problems.

OTHER CONSIDERATIONS

A. Accident Prevention—The encouragement of safety is another basic objective of workers' compensation. The effort to reduce the frequency and severity of work-related injuries is accomplished in at least two ways.

First, the workers' compensation program provides employers with preventive services, including safety engineering. This role is assumed by casualty insurance carriers, state funds and safety agencies, and employers. A second general role is to provide a monetary incentive to employers to improve their safety records. Here the insurance premium structure is a primary force.

Costs of accident-prevention services are included in workers' compensation insurance premiums. Casualty insurance engineers help in setting up accident-prevention programs of continuing benefit. Benefits are found in lower insurance rates, increased production efficiency, and better use of manpower. Of course, the greatest beneficiaries are those kept from industrial accidents through application of effective loss-prevention engineering methods.

B. National Council on Compensation Insurance—Premium rates for workers' compensation insurance are compiled scientifically. Accident experience throughout American business is collected by an agency recognized by all insurance carriers and state fund administrators in the U.S. This agency—the National Council on Compensation Insurance—operates in most states. It grew out of a 1915 conference which agreed that rate making for compensation insurance could not be handled by each state separately. The states that maintain independent agencies cooperate with the Council in making rates. The Council's manual rates generally are a basis for compensation rates charged by stock and mutual companies.

Member companies of the Council report experience incurred under workers' compensation policies. This experience serves as a basis for workers' compensation rate determinations in accord with a standard nationwide rate-making procedure approved by the National Association of Insurance Commissioners.

The National Council's basic manual is standard with all insurance companies. It sets forth Council rules, procedures, and rates applicable to workers' compensation insurance. Where statutes provide for rate regulation by a state supervising authority, revised compensation rates and supporting data are filed annually with it; often, public hearings are held before rates are revised. The supervising authority must approve the rates carriers charge. All states now provide for rate regulation by state authority. In Canada rates are in the form of an assessment—established by each provincial compensation board annually by class of risk.

As set forth in the Council's manual, compensation rates are based on payroll. Usually only an estimated premium is collected when the policy is written. After the policy expires, a payroll audit is required. The actual premium is then figured and adjustments made.

C. Injuries Outside the Jurisdiction—Frequently, when a worker's occupation takes him into another jurisdiction, questions arise as to which law determines compensation payable. In effect, most compensation laws are extraterritorial—either by specific provisions or court decision. Answers depend on provisions of the particular laws involved and require consideration of circumstances—such as place and nature of employment, place where contract was made, employee's residence, and employer's place of business.

D. Civil Defense and Other Volunteers—Many states have laws to compensate civil defense and other volunteer workers (such as firemen) injured in line of duty. Attention is called to these laws, but no attempt is made to chart their provisions.

CHART I TYPE OF LAW AND INSURANCE REQUIREMENTS January 1, 1980

JURISDICTION	TYPE OF LAW	INSURANCE	SELF-INSURANCE	PENALTIES ON FAILURE TO INSURE
ALABAMA	Compulsory	Required	Permitted	Fine of not less than $25 nor more than $1,000. Employer may be enjoined from doing business and liable to suit with defenses abrogated and double amount of compensation.
ALASKA	Compulsory	Required	Permitted	$1,000 fine, 1 year imprisonment, or both. Common law defenses to damage suit abrogated. Presumption that injury is proximate result of negligence of employer. If corporation, persons in charge shall be personally liable for payment of compensation.
AMERICAN SAMOA	Compulsory	Required	Individual	Misdemeanor. Fine up to $1,000 or imprisonment up to 1 year, or both. Employer liable to suit with defenses abrogated.
ARIZONA	Compulsory	Required	Permitted	Employer liable to suit with defenses abrogated. 10% penalty of award, expenses, and attorney's fees awarded from Special Fund. Injunction against doing business in state.
ARKANSAS	Compulsory	Required	Individual and group	$500 fine or 1 year imprisonment, or both; employer liable to suit with defenses abrogated.
CALIFORNIA	Compulsory	Required	Permitted	Misdemeanor. On continuance of noncompliance for 30 days, mandatory fine of $400. Compensation may be increased 10%. Employer liable to suit with defenses abrogated and may be enjoined from doing business. Amount of unpaid premiums assessed as penalty. Fine of $100 per each employee and other fines payable to Uninsured Employers Fund. Employers of domestics exempt from criminal provisions.
COLORADO	Compulsory	Required	Permitted	Compensation increased 50% or employer liable to suit with defenses abrogated (at option of employee). Employer may also be enjoined from doing business.
CONNECTICUT	Compulsory	Required	Permitted	Willful failure to insure--fine up to $1,000 payable into Second Injury Fund.
DELAWARE	Compulsory	Required	Permitted	Fine of 10 cents per day per employee (maximum $50, minimum $1 per day). If default continues for 30 days employer may be enjoined from doing business. Employer liable to suit with defenses abrogated.
DISTRICT OF COLUMBIA	Compulsory	Required	Permitted	Fine of not more than $1,000 or 1 year imprisonment or both.
FLORIDA	Compulsory	Required	Individual and group	Fine of not more than $500 or not more than 1 year imprisonment, or both; employer liable to suit with defenses abrogated and may be enjoined from doing business.
GEORGIA	Compulsory	Required	Permitted	Misdemeanor. Compensation may be increased 10% plus attorney's fees. Penalty up to $50 per day.
GUAM	Compulsory	Required	Not permitted	Misdemeanor. Fine up to $1,000, imprisonment up to 1 year, or both. Employer liable to suit with defenses abrogated and must reimburse fund for compensation payable. Corporate officers are personally liable for compensation.
HAWAII	Compulsory	Required	Permitted	$25 or $1 per employee per day, during default, whichever is greater. Injunction against business in the state.
IDAHO	Compulsory	Required	Permitted	Misdemeanor. Employer also liable to penalty of $1 per day per employee, and may be enjoined from doing business after 30 days default. For default in premiums to state fund, penalty is $1 per day per employee, and policy may be canceled after 30 days default.
ILLINOIS	Compulsory	Required	Permitted	Fine of $100 to $500 for each day's default.
INDIANA	Compulsory	Required	Permitted	Class C infraction; maximum fine $500.
IOWA	Compulsory	Required	Permitted	Employer liable to suit with defenses abrogated and presumption of negligence of employer. In coal mining, employer is liable to penalty of $10 to $100 per day and may be enjoined from further noncompliance.
KANSAS	Compulsory	Required	Permitted	Employer liable to suit with defenses abrogated.
KENTUCKY	Compulsory	Required	Individual and group	Failure to file evidence of compliance after employer's acceptance of act--claimant may elect action at law or for compensation. Failure to secure payment of compensation--claimant may claim compensation and bring action at law or in admiralty with employer's common law defenses abrogated. Employer may be enjoined from doing business.
LOUISIANA	Compulsory	Required	Individual and group	12% penalty and attorney's fees for collection of claim.
MAINE	Compulsory	Required	Permitted	Fine of $1,000 or one year imprisonment, or both. Employer liable to suit with defenses abrogated.
MARYLAND	Compulsory	Required	Permitted	Fine of $500 to $5,000 and/or imprisonment for not more than 1 year. Additional penalty for failure to comply with Commissioner's orders amounting to 6 months insurance premiums. Employer also liable to suit with defenses abrogated. Other insurers assessed to pay unpaid claims of insolvent insurer. Fine of $150 and 15% penalty on award payable to Uninsured Employers Fund.
MASSACHUSETTS	Compulsory	Required	Permitted	Fine of not more than $500 or imprisonment for not more than 1 year, or both; employer liable to suit with defenses abrogated.
MICHIGAN	Compulsory	Required	Permitted	Fine of $10 to $100 or imprisonment for 30 days to 6 months, or both.
MINNESOTA	Compulsory	Required	Permitted	Penalty $50 if under 5 employees, otherwise $200. Additional penalty 5 times lawful premiums for continued noncompliance. Employer may be enjoined from further employment. Employer must reimburse compensation paid plus 50% penalty. Intentional noncompliance is gross misdemeanor. Employer liable to suit with defenses abrogated.
MISSISSIPPI	Compulsory	Required	Permitted	Fine up to $1,000 or one year imprisonment or both. Employer also liable to suit with defenses abrogated.
MISSOURI	Compulsory	Required[1]	Permitted	Employer liable to suit with defenses abrogated. Uninsured employer may be liable up to $30,000 if worker elects compensation and must pay double the premium amount or $500 (whichever greater) to Uninsured Employers Fund.
MONTANA	Compulsory	Required	Permitted	Division must enjoin employer from doing business. Double amount of unpaid premiums assessed as penalty (minimum $200). Employer liable for compensation payable, up to $10,000. Penalties payable into Uninsured Employers Fund.
NEBRASKA	Compulsory	Required	Permitted	Employer liable to suit with defenses abrogated. $1,000 fine maximum, 1 year imprisonment, or both; may be enjoined from doing business.
NEVADA	Compulsory	Required in state fund	Individual	Employer liable to suit with defenses abrogated and may be enjoined from doing business; misdemeanor punishable by a fine of $100 to $500.
NEW HAMPSHIRE	Compulsory	Required	Permitted	Fine of $100 for each day of failure to keep evidence of financial ability on file.
NEW JERSEY	Elective	Required	Permitted	Employer liable to suit with defenses abrogated. Misdemeanor, punishable by a fine of not more than $1,000 or not more than 90 days imprisonment or both, plus $25 for each 10 day period but not more than $100 at any one time. Also assessment of $150 plus 10% of award up to $1,500 payable to Uninsured Employers Fund.
NEW MEXICO	Compulsory	Required	Permitted	Fine of not more than $1,000. Employer may be enjoined from doing business.
NEW YORK	Compulsory	Required	Individual and group	Fine of not more than $500 or imprisonment for not more than 1 year, or both. Employer liable to suit with certain special defenses abrogated. Additional fine of $100 if uninsured for less than 10 days.
NORTH CAROLINA	Compulsory	Required	Individual and group	Misdemeanor, punishable by fine of 10¢ per day per employee (maximum $50.00, minimum $1 per day), imprisonment, or both. Employer liable to suit with common law defenses abrogated.

IND. "Except as to state and political subdivisions, banks, trust companies, and savings and loan associations."

MS. "Commission may require insurance against catastrophe other than war."

MO. "Employer engaged in mining must insure only to the extent of maximum liability for 10 deaths in any one accident."

N.J. "Employer of farm worker not required to insure."

CHART I ☐ TYPE OF LAW AND INSURANCE REQUIREMENTS ☐ January 1, 1980 (continued)

JURISDICTION	TYPE OF LAW	INSURANCE	SELF-INSURANCE	PENALTIES ON FAILURE TO INSURE
NORTH DAKOTA	Compulsory	Required in state fund	Not permitted	Misdemeanor punishable by $500 fine, 1 year imprisonment, or both. Uninsured employer liable for damage or injuries or death and cannot avail himself of common law defense. Employer may be enjoined from employing uninsured workers.
OHIO	Compulsory	Required in state fund	Permitted	Fine of not more than $500, and if willful, imprisonment for not more than 90 days. Employer may be enjoined from doing business. Employer is also liable to suit with defenses abrogated.
OKLAHOMA	Compulsory	Required	Permitted	Penalty of $1 per day per employee. Employer liable to suit with defenses abrogated.
OREGON	Compulsory	Required	Permitted	Employer is liable to suit with defenses abrogated. Enjoined from hiring workmen. Fine of $1,000 plus $25 per day administrative costs and legal fees, and fines up to $5,000 based on type of injury.
PENNSYLVANIA	Compulsory	Required	Permitted	Fine of $500 to $2,000 per day or not more than 1 year imprisonment, or both. Employer liable to suit with defenses abrogated.
PUERTO RICO	Compulsory	Required in territorial fund	Not permitted	Misdemeanor, fine of $25 to $1,000, or imprisonment for not more than 6 months or both. Employer liable to suit with defenses abrogated. Penalty 30% of compensation (minimum $10.00).
RHODE ISLAND	Compulsory	Required	Permitted	Fine of not more than $100; employer liable to suit with defenses abrogated.
SOUTH CAROLINA	Elective	Required	Permitted	Fine of 10 cents per day per employee (maximum $50, minimum $1 per day). If default continues for 30 days employer may be enjoined from doing business. Employer liable to suit with defenses abrogated.
SOUTH DAKOTA	Compulsory	Required	Permitted	Employer liable to suit for damages or double compensation and medical care as benefits.
TENNESSEE	Compulsory	Required	Permitted	Fine of $10 to $100 and after conviction, fine of $1 for each day of noncompliance. Employer also liable to suit with defenses abrogated.
TEXAS	Elective	Required	Not permitted*	Employer liable to suit with defenses abrogated. Motor bus certificate may be revoked on failure to insure.
UTAH	Compulsory	Required	Permitted	Fine of $10 to $100 or imprisonment of 30 days to 6 months or both. Employer also liable to suit with defenses abrogated. Also, costs and attorney's fees in civil suit.
VERMONT	Compulsory	Required	Individual	Failure to provide security within 30 days after notice by Commissioner—fine up to $100 per day.
VIRGIN ISLANDS	Compulsory	Required in territorial fund	Not permitted	Employer liable for compensation and expenses plus penalty equal to 30% of compensation and expenses. Employer liable to suit with defenses abrogated. Fine up to $500 or imprisonment up to 6 months, or both. Interest on premiums in default. Employer may be enjoined from doing business.
VIRGINIA	Compulsory	Required	Individual and group	Fine $50 per day per employee (maximum $1,000, minimum $50 per day). Employer liable to suit with defenses abrogated. Intentionally uninsured employer commits class 2 misdemeanor.
WASHINGTON	Compulsory	Required in state fund	Permitted	Fine of $25 to $100 per day plus 50% of cost of claim. On default of premium, employer is liable to penalty of 25% of premiums in default, and may be required to furnish double bond. In addition, employer may be enjoined from doing business.
WEST VIRGINIA	Compulsory	Required in state fund	Permitted	Employer liable to suit with defenses abrogated.
WISCONSIN	Compulsory	Required	Permitted	Fine of $10 to $100 or imprisonment from 30 days to 6 months, or both. Each day is a separate offense. Employer may be restrained from employing any person pending compliance.
WYOMING	Compulsory	Required in state fund	Not permitted	Fine of not more than $500, plus 10% of premiums due. Employer may also be enjoined from doing business. There is an additional penalty for coal mining operators of double the premium due.
F.E.C.A.	Compulsory	Required in national fund		
LONGSHORE ACT	Compulsory	Required	Permitted	Fine of not more than $1,000 or 1 year in prison or both for failure to secure payment of compensation.
ALBERTA	Compulsory	Required in provincial fund	Not permitted	Failure to furnish required security—Board may order employer to cease employment; violation—fine of $5 to $100 daily or imprisonment up to 6 months. Failure to submit statement of wages—percentage of assessment plus penalty up to half of compensation payable, maximum $500; violation of judgment—injunction against operating. Failure to pay assessment—8% penalty, employer's goods may be seized.
BRITISH COLUMBIA	Compulsory	Required in provincial fund*	Not permitted	Failure to submit statement of wages—compensation payable plus percentage of assessments set by Board. Failure to pay assessment—unpaid amount plus costs of collection and percentage penalty, compensation payable, and employer may be enjoined from operating.
MANITOBA	Compulsory	Required in provincial fund	Not permitted	Failure to submit statement of wages—maximum fine $500. Failure to submit payroll return statement—employer liable for half of compensation payable (minimum $50). Failure to pay assessment—penalty of 5% of amount in default for first month and 1% for each succeeding month.
NEW BRUNSWICK	Compulsory	Required in provincial fund*	Not permitted	Failure to submit statement of wages—maximum penalty $500 plus percentage fixed by Board. Failure to pay assessment—employer liable for compensation payable plus penalty of 12% per year and costs of collection.
NEWFOUNDLAND	Compulsory	Required in provincial fund		Failure to submit statement of wages—maximum fine $500 plus percentage assessment or interest. Failure to pay assessment—assessment plus costs of collection, percentage penalty, and compensation payable; employer may be enjoined from operating.
NORTHWEST TERRITORIES	Compulsory	Required in territorial fund	Not permitted	Failure to submit statement of wages or to pay assessment—employer liable for compensation payable and assessment plus percentage of assessment as penalty established by Board or regulations.
NOVA SCOTIA	Compulsory	Required in provincial fund	Not permitted	Employer liable for compensation payable. Failure to submit statement of wages—employer liable for unpaid amount and costs of collection plus 5% penalty, 1% penalty for each month in default; $50 if annual statement. Failure to pay assessment—2% penalty plus 1% for each month in default and employer may be enjoined from operating.
ONTARIO	Compulsory	Required in provincial fund	Not permitted	Failure to submit statement of wages upon commencing operations and at other required times—penalty up to $1000 plus liability for additional percentage of assessment and costs of claim at discretion of Board.
PRINCE EDWARD ISLAND	Compulsory	Required in provincial fund	Not permitted	Failure to report payroll or pay assessment—penalty of $100 per week of default plus 2% of amount unpaid after 1 month and 1% for each additional month. Failure to pay assessment—employer may be enjoined from operating.
QUEBEC	Compulsory	Required in provincial fund*	Not permitted	Failure to submit statement of wages upon commencing operations or at other required times—maximum fine $[illegible]. Failure to pay assessment, employer liable for percentage penalty to be established by Board and also a fine of not over $100 per day.
SASKATCHEWAN	Compulsory	Required in provincial fund	Not permitted	Failure to submit statements of wages upon commencing operations or at other required times—maximum fine $500. Failure to pay assessment, employer liable for percentage penalty to be established by Board and may be enjoined from operating.
YUKON TERRITORY	Compulsory	Required in territorial fund	Not permitted	Failure to submit statement of wages—maximum fine $500 plus percentage of assessment. Failure to pay assessment—percentage penalty, and employer may be enjoined from operating.
CANADIAN MERCHANT SEAMEN'S ACT	Compulsory	Risks must be covered by insurance or other means	At discretion of Board	Failure to insure or cover by other means satisfactory to the Board may cause ship to be detained by Customs.

Texas: *Except to state and political subdivisions.

B.C.: *Employer directly liable for compensation if injury was caused by employer's gross negligence or lack of an accident prevention program; maximum $16,242.78.

N.B.: *Subject to approval of Lt.-Gov. in Council. Board may make arrangement for insurance or reinsurance.

Quebec: *Subject to approval of Lt.-Gov. in Council. Board may make arrangement for insurance or reinsurance.

CHART II — COVERAGE OF LAWS — January 1, 1980

JURISDICTION	EMPLOYMENTS COVERED[1]		EXCEPTIONS[2]	SPECIAL COVERAGE PROVISIONS[1]
	PRIVATE	PUBLIC		
ALABAMA	Compulsory as to employers of 8 or more. Elective as to owner of business.	Voluntary as to county, city, town, village, or school district; compulsory in certain counties or municipalities of 2,000 or more.*	Domestic servants and casual employees.	Voluntary for employers of less than 8, including farmers.
ALASKA	Compulsory as to all employments, including elected or appointed corporate executive officers.	Compulsory as to state and political subdivisions, members of state boards, and commissions. Includes regular firemen if not prohibited by local law. Voluntary as to executive officers of municipal corporations.	Part-time baby sitters, cleaning persons, harvest help, etc.	Voluntary as to executive officers of a charitable, religious, educational, or other nonprofit corporation.
AMERICAN SAMOA	Compulsory as to employers of 3 or more; coverage may be required for all hazardous employments.	Compulsory as to all public employments.		Voluntary as to exempt employers.
ARIZONA	Compulsory as to employments. Employee may reject.	Compulsory as to state, counties, cities, towns, municipal corporations, and school districts.	Domestic servants and casual employees.	Voluntary as to employers of domestic servants. Motion picture business employers and employees may be exempted from law provided equal benefits are provided by insurance in domicile state.
ARKANSAS	Compulsory as to employers of 3 or more. Elective as to partners or sole proprietors.	Compulsory as to state agencies, departments, and institutions, and counties.	Farm labor, domestic servants, casual workers, public charities, vendors, or distributors of newspapers and other publications.	Voluntary as to excepted employments. Compulsory for building repair work, if contractor employs 2 or more employees at any one time. Compulsory for contractor who employs 1 or more and who subcontracts.
CALIFORNIA	Compulsory as to all employments. Elective as to working member of partnership.	Compulsory as to all public employments except clerks and deputies serving without remuneration.	Newspaper vendors, charity workers, and volunteer member workers at camps, etc., operated by nonprofit organizations. Employers sponsoring bowling teams.* Domestics who work less than 52 hours during preceding 90 days or earn less than $100.	Voluntary as to excepted employments and sponsoring agencies of Economic Opportunity Programs. Employer not liable for injury due to off-duty recreational, social, or athletic activity not part of work-related duties.
COLORADO	Compulsory as to all employments.	Compulsory as to all public employments. Job trainees deemed employees of training commission.	Employees of religious or charitable organizations, domestic servants and casual employees who earn less than $2,000 per year, volunteer ski-lift operators.	All farm labor covered in 1977. Officers of farm corporation may reject coverage.
CONNECTICUT	Compulsory as to all employments. Corporate officer may reject. Elective as to sole proprietors or partners.	Compulsory as to all state, public corporations, and members of General Assembly. Municipalities may elect coverage of elected and appointed officials, police, and firemen.	Casual employees, outworkers,[3] domestics employed less than 26 hours weekly, officers of fraternal organizations paid less than $100 per year.	Voluntary as to excluded employments.
DELAWARE	Compulsory as to all employments.	Elective as to state and certain counties, cities, and towns.	Domestic servants, casual employees earning less than $300 in 3 months from one household, farm labor.	
DISTRICT OF COLUMBIA	Compulsory as to all employments.	Compulsory for all public employments, except officers or employees of the United States, state, or foreign government.	Domestic workers, farm labor, casual employees, master or crew of any vessel, and employees of common carrier by railroad in interstate commerce.	
FLORIDA	Compulsory as to employers of 3 or more. Elective as to corporate officers, partners, and sole proprietors.	Compulsory as to state and political subdivisions except elected officials.	Domestic servants, casual employees, 12 or fewer casual or 5 or fewer regular farm labor, professional athletes, employees of common carriers, and volunteers in nonprofit agencies or federal programs.	Voluntary as to excepted employments. Excludes real estate salesmen solely on commission.
GEORGIA	Compulsory as to all employers of 3 or more.	Compulsory as to state, county, municipal corporations, and political subdivisions including school districts. Voluntary as to planning commissions.	Farm labor, domestic servants, employees of common carriers by railroad and casual labor.	Voluntary as to excepted employments.*
GUAM	Compulsory as to all industrial employments.*	Compulsory as to paid and voluntary work done for Government of Guam or any political subdivision except federal employees covered by P.L. 208 and elected officials.	Workers in interstate or foreign commerce covered by federal law, farm labor, and casual labor.	All contracts of hire are presumed to include an agreement to cover injuries received outside the territory by accident arising out of and in the course of employment.
HAWAII	Compulsory as to all industrial employments.*	Compulsory as to all public officials, elective or appointed. Covers public board members.	Employees of religious, charitable, or nonprofit organizations. Domestics who earn less than $225 during each quarter in the preceding year. Unpaid 25% shareholders of corporation with no employees.	Voluntary as to employments not defined as industrial.
IDAHO	Compulsory as to all employments. Elective as to corporate officers who are 10% shareholders, sole proprietors, and working members of partnership.	Compulsory as to all public employments.	Agricultural pursuits, domestic servants, casual labor, inhabiting members of employer's family, outworkers,[3] employment not for money, airmen, and commission real estate salesmen and brokers.	Employees within state who work for employers domiciled in another state are covered. Credit is provided for benefits paid to employees under the law of other states.
ILLINOIS	Compulsory as to enumerated "extra hazardous" employments (including occupational diseases).	Compulsory as to all public employments except members of fire and police departments in cities over 200,000 population.	Certain farm labor, domestics, and persons not in usual course of employer's business.	Voluntary as to excluded employments.*
INDIANA	Compulsory as to all employments including corporate officers. Elective as to sole proprietors or partners.	Compulsory as to state, municipal corporations, and political subdivisions, includes state legislators, and elected and appointed officials.	Farm labor, domestic servants, casual workers, and railroad workers.*	Compulsory as to coal mining and—regardless of age—students receiving vocational education.
IOWA	Compulsory as to all employments, including corporate executive officers who are employees.	Compulsory as to all public employments, except firemen and policemen entitled to pension fund. Covers highway safety patrol officers, conservation officers, and agricultural workers at state universities.	Domestic and casual workers earning under $200 per quarter, farm labor, if employer payroll under $1,000 per year, or any regular employee for less than 40 hours weekly during 13 weeks.	Employees within state who work for employers domiciled in another state are covered. Credit is provided for benefits paid to employees under the law of other states.
KANSAS	Compulsory as to all employments, including corporate executive officers. Elective as to partners, individuals, or self-employeds.	Compulsory as to all public employments. Members of firemen's relief associations may elect to accept or reject coverage.	Farm labor or any employer whose gross annual payroll is not more than $10,000.	Compulsory as to eleemosynary institutions. Voluntary as to excluded employments. Labor unions and associations may elect coverage for their members who perform services and are not full-time employees.

NOTE: State courts vary in decisions whether minimum of persons must be in state.

[1]Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation specified. An elective act is one in which the employer has the option of either accepting or rejecting the act, but if he rejects it he loses the customary common law defenses (risk assumed by employee, negligence of fellow servants, and contributory negligence). In most states workers in excepted or excluded employments may be brought under coverage of the act through voluntary action of the employer. In other states, such action of the employer must be concurred in by the employees.

[2]Applying to private employments only. The exceptions for public employments are given under "Employments Covered—Public."

[3]Outworker is person to whom articles are given for cleaning, repair, etc., at home.

Alab.: *Special act covers employees of U.S.S. Alabama Battleship Comm. and authorizes excess medical care benefits not to exceed $10,000 per employee; also, for employees of Department of Agricultural and Industries.

Calif.: *Excludes amateur athletic participants who are not employees.

Guam: *Employment in trade, occupation, or profession, carried on by employer for pecuniary gain.

Hawaii: *Employment in trade, occupation, or profession, carried on by employer for pecuniary gain.

Ill.: The law is "elective" as to private employments of a nonhazardous nature, but it does not abrogate the employer's defenses if he does not accept the act, and thus is considered to be voluntary.

Ind.: *Elective for officer of a charitable, religious, educational, or nonprofit corporation.

CHART II ☐ COVERAGE OF LAWS ☐ January 1, 1980 (continued)

JURISDICTION	EMPLOYMENTS COVERED[1]		EXCEPTIONS[2]	SPECIAL COVERAGE PROVISIONS[1]
	PRIVATE	PUBLIC		
KENTUCKY	Compulsory as to all employments, including corporate executives. Elective as to owner of business or partner. Worker may reject voluntarily prior to injury.	Compulsory as to state and political subdivisions, including elected and appointed state officials and employees of the General Assembly.	Domestic servants if employer employs fewer than 2 each regularly employed 40 hours a week; casual workers employed less than 20 consecutive days; agricultural labor; worker for charitable or religious organization in return for aid or sustenance; and participant in carpool to and from work.	Specifically covers newsboys and operators of coal mines. Voluntary as to excluded employments.
LOUISIANA	Compulsory as to all employments, including corporate executives. Corporate officers who are 10% shareholders, partners, and sole proprietors may reject.	Compulsory as to all public employments, except officials.	Crews of crop spraying aircraft while acting as contractors or employees of persons principally engaged in agriculture.	Excludes officers of nonprofit charitable, fraternal, cultural, or religious corporations or associations.
MAINE	Compulsory as to all employments, including corporate executive officers. Corporate officers who are 20% shareholders may reject. Elective as to self-employed persons or partners.	Compulsory as to state, counties, cities, towns, and quasi-municipal corporations.	Casual or seasonal farm labor, domestic servants, part-time employees in interstate or foreign commerce, or longshoremen.	Voluntary as to excluded employments. Parent, spouse, or child of sole proprietor or partner may reject coverage.
MARYLAND	Compulsory as to all employments, including corporate officers. Elective as to partners or sole proprietors. Covers farm and dairy farmers with 3 or more employees.	Compulsory as to state, counties, cities, and their agencies; paid firemen in certain counties; prisoners working for county roads boards; forest wardens, crewmen, and fire fighters for Department of Forest and Parks.	Domestic servants who earn less than $250 in any quarter from a single household and certain maintenance workers not employed for 30 consecutive days; around a private home; casual, seasonal, or migratory farm labor who do not operate machinery.	Voluntary as to excluded employments. Of farm of close corporation may reject. Group employers of farm labor may be insured under a group policy.
MASSACHUSETTS	Compulsory as to all employments.	Compulsory as to state. Elective as to counties, cities, and districts having power of taxation. Municipalities required to indemnify police and firemen. Cities and towns may cover certain elected or appointed officials.	Seasonal and casual labor, domestic servants employed less than 16 hours a week, masters and seamen in interstate commerce covered by federal law, athletes whose contracts provide wages during old disability.	Voluntary as to domestic servants hired casually or on a seasonal basis.
MICHIGAN	Compulsory as to all employers of 3 or more, or less than 3 if 1 is employed for 35 hours per week for 13 consecutive weeks by same employer.	Compulsory as to all public employments. Trainees in federally funded training program deemed employees of sponsoring public entity.	Professional athletes whose average weekly wage is more than 200% of statewide average weekly wage.	Voluntary as to employers of 2 or less and domestic servants. Those employed by spouse full time, eligible for benefits unless excluded from insurance policy for management.
MINNESOTA	Compulsory as to all employments. Corporate officers may reject. Elective as to owners of or partners in business or farm.	Compulsory as to all public employments, including elected and appointed state officials. Elective for officers of political subdivisions.	Household workers, casual employees who earn under $500 per quarter from a single private household; family farms with annual farm labor payroll under $4,000; railroad workers covered by federal law; and nonprofit corporations with annual payroll under $500.	Specifically covers commercial threshing and baling. Voluntary as to farm labor, domestic service, executive officers of family farm corporation, and executive officers of close corporation with less than 2,080 hours of payroll, which is also, of corporation.
MISSISSIPPI	Compulsory as to all employers of 5 or more. Corporate officers may reject.	Voluntary as to public employments. Specifically includes handicapped in state sheltered workshop programs.	Domestic servants, farmers, farm labor, clergymen, ministers, officers of nonprofit charitable, fraternal, cultural, or religious corporations or associations.	Voluntary as to exempted employers.
MISSOURI	Compulsory as to all employers of 5 or more.	Compulsory as to all public employments, including elected and appointed state officials, contractors of a public corporation, state militia, and sheriffs and deputy sheriffs. Compulsory for workers on state welfare projects under federal Economic Opportunity Act.	Farm labor and domestic servants.	Voluntary as to exempt employments and employers of less than 5 employees.
MONTANA	Compulsory as to all employments. Elective as to corporate officers, partners, and sole proprietors.	Compulsory as to all public employments, including public contractors.	Domestic and casual employment, farms, members of employers covered by federal law, and persons performing services for aid and sustenance only.	Voluntary as to exempt employments.
NEBRASKA	Compulsory as to all employments. Corporate officers who are 25% shareholders may reject.	Compulsory as to all employments, including officials elected or appointed for fixed terms.	Farm labor and domestic servants.	Voluntary as to farm labor and domestic service.
NEVADA	Compulsory as to all employments. Elective as to sole proprietors.	Compulsory as to all employments, including public contractors. Also includes unpaid members of state departments, boards, commissions, agencies, or bureaus appointed by a statutory authority, members of local bands and orchestras.	Farm labor, domestic servants, casual employees, actors, except employees of motion picture producers, employees engaged without pay in employer's social or athletic events, and voluntary ski patrolmen.	Elective as to farm labor and domestic service. Employers may elect compensation if injured employer is uninsured.
NEW HAMPSHIRE	Compulsory as to all employments. First 3 corporate officers not counted as employees. Elective as to partners and sole proprietors.	Compulsory as to all public employments.	Railroad workers covered under F.E.L.A. Longshoremen.	
NEW JERSEY	Elective as to all employments.	Compulsory as to all public employments.	Casual workers, maritime workers, and railroad workers engaged in interstate commerce.	Employers of domestic servants are not required to carry insurance but are liable for compensation under act.
NEW MEXICO	Compulsory as to employers of 3 or more. Corporate officers who are 10% shareholders may reject.	Compulsory as to state, counties, cities, towns, schools, drainage, irrigation, or conservancy districts, public instruction or administrative boards; includes elected or appointed officials.	Farm or ranch labor, domestic servants, and casual employees.	Numerical exception does not apply to structural work, to hazardous employment, or to logging. As to farm labor, domestic service, and where less than 3 are employed.
NEW YORK	Compulsory as to all employments, including corporate executives.	Compulsory as to state and subdivisions when worker is engaged in hazardous occupations enumerated. Covers school aides and public school teachers in districts outside New York City. Voluntary as to municipal corporations in nonhazardous employments.	Elective as to farm labor if payroll during prior year was less than $1,000; volunteer workers; and domestic workers not employed by same employer at least 40 hours per week.	Specifically includes newsboys under 18 (double compensation if employer knowingly hired in violation of law). Exclusive remedy. Excludes officers of religious, charitable, veteran, or educational corporation.
NORTH CAROLINA	Compulsory as to all employers of 4 or more and all employments with exposure to radiation. Corporate officers count toward total number of employees but may reject.	Compulsory as to public employments, public and quasi-public corporations, and elective officials.	Farm labor, domestic servants, casual workers, railroad workers, voluntary ski patrolmen, individual loggers or logging operations with fewer than 10 employees who operate less than 60 days over a 6-month period.	Voluntary as to casual employees, farm labor, domestic servants, and employers of fewer than 4 employees.
NORTH DAKOTA	Compulsory as to all hazardous employments. Excludes corporate officers unless performing duties performed by employee.	Compulsory as to all public employments.	Farm labor, domestic servants, casual workers, illegal employees or occupations.	Voluntary as to nonhazardous and excluded employments.

NOTE: State courts vary in decisions whether minimum number of persons must be in state.

[1]Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation specified. An elective act is one in which the employer has the option of either accepting or rejecting the act, but if he rejects it he loses the customary common law defenses (risk assumed by employee, negligence of fellow servants, and contributory negligence). In most states, workers in excepted or excluded employments may be brought under coverage of the act through voluntary action of the employer. In other states, such action of the employer must be concurred in by the employees.

[2]Applying to private employments only. The exceptions for public employments are given under "Employments Covered—Public."

CHART II □ COVERAGE OF LAWS □ January 1, 1980 (continued)

JURISDICTION	EMPLOYMENTS COVERED[1]		EXCEPTIONS[2]	SPECIAL COVERAGE PROVISIONS[1]
	PRIVATE	PUBLIC		
OHIO	Compulsory as to all employments. Elective as to partners and sole proprietors.	Compulsory as to state, counties, cities, townships, incorporated villages, and school districts. Police and firemen in cities with pension funds are paid the difference if pension is less.	Officers of a family farm corporation. Casual and domestic workers paid less than $160 by one employer in any 3-month period.	
OKLAHOMA	Compulsory as to all employments. Elective as to 10% shareholders, partners, and sole proprietors.	Compulsory as to the state, counties, cities, or municipalities employing workers in hazardous employments, except where equivalent schemes are in force.	Domestic and casual employees of homeowner whose annual payroll is under $10,000; worker covered by federal law; agricultural horticultural employer whose annual payroll is under $25,000.	
OREGON	Compulsory as to all employments. Elective as to corporate officers and sole proprietors.	Compulsory as to state, departments, cities, or towns (except those having over 200,000 population) and other political subdivisions. Covers volunteer trainees in state schools for deaf and blind.	Domestics, casual labor, interstate transportation, and certain charitable or relief work.	Voluntary as to excepted employments. Covers clients in Vocational Rehabilitation Division. Partners operating equipment for hire may elect coverage.
PENNSYLVANIA	Compulsory as to all employments.	Compulsory as to all public employments. Students in vocational work program covered as employees of employer.	Domestic or casual labor, outworker[3], farmer with 1 employee who works less than 20 days a year or earns less than $150 a year.	Voluntary as to casual and domestic service.[4]
PUERTO RICO	Compulsory as to all employments.	Compulsory as to all public employments with or without salary.	Casual and domestic workers.	Compulsory for sole proprietors and their families when supervising or engaging in manual labor in their business or farm.
RHODE ISLAND	Compulsory as to all employers of 4 or more, and employers in hazardous occupations.	Compulsory as to the state; elective as to cities or towns.	Agriculture; domestic service.	Voluntary as to agriculture, domestic service, and employers of less than 4 employees, except those in hazardous occupations.
SOUTH CAROLINA	Elective as to all employers of 4 or more, including active partners and sole proprietors whose employees are eligible for benefits.	Compulsory as to all public employments except elective and appointive officials.	Casual employees; persons engaged in selling agricultural products; farm labor; railroads; express companies; state and county fair associations; employer with annual payroll under $3,000.	Voluntary as to excluded employments.
SOUTH DAKOTA	Compulsory as to all employments. Elective as to employer performing labor incidental to job.	Compulsory as to all public employments, except elected or appointed officials. Firemen covered. Subdivisions of state may elect to cover elected and appointed officials. Students in vocational work program covered as employees of employer.	Casual employees. Farm labor and domestic servants if employed more than 24 hours in any week or more than 6 weeks in any 13-week period.[5]	Voluntary as to farm labor and domestic service. Compulsory as to operators of farm machinery, e.g., threshers, combines, shellers, cornhuskers.
TENNESSEE	Compulsory as to all employers of 5 or more. Corporate officers may reject. Elective as to partners and sole proprietors.	Voluntary as to state and political subdivisions.	Farm labor, domestic servants, casual employees, employees of interstate common carriers, and voluntary self-insurers.	Voluntary as to employers of less than 5.
TEXAS	Elective as to all employments. Elective as to corporate officers, partners, and sole proprietors.	State provides self-insurance coverage for Highway Dept., University of Texas, and Texas A&M University. Counties and municipalities may provide compensation for their employees (by separate act).	Farm and ranch labor, domestic servants, railways used as common carriers, and employees not in usual course of employer's business.	Specifically covers motorbus companies. Elective as to excepted workers. Real estate salesmen by commission only may elect coverage.[6]
UTAH	Compulsory as to all employments. Elective as to partners and sole proprietors.	Compulsory as to all public employments.	Casual employees. Farm employers whose payroll is less than $2,500 per year, who do not employ 4 persons for 40 hours per week for 13 weeks during year, or employer-owner's family. Domestics who work less than 40 hours per week for a single employer.	Voluntary as to farm labor and domestic service.
VERMONT	Compulsory as to all employments. Corporate officers may reject.	Compulsory as to Buildings Division and Department of Highways (except office workers); teachers; towns and school districts (except officials); road commissioners or selectmen engaged in highway maintenance or construction; police and firemen; and persons entitled to pensions.[7]	Casual or domestic employees, amateur athletes, farm labor where employer's payroll is under $1,000 per year.	Specifically covers circuses and carnivals. Exempted farmers and employers of domestics may elect coverage.
VIRGIN ISLANDS	Compulsory as to all employments. Elective as to partners and sole proprietors.	Compulsory as to all public employments.	Casual and domestic employees, and volunteers for charitable organizations.	Voluntary as to exempt employers and employees.
VIRGINIA	Compulsory as to employers of 3 or more (4 or more farm employees or $15,000 annual payroll). Elective for executive officers.	Compulsory as to all public employments, except administrative officers and employees elected or appointed for definite terms. Includes judges of Supreme Court and Circuit Court and judges and clerks of juvenile, domestic relations, and district courts.	Casual employees, horticultural and farm laborers, domestic servants, employees of steam railroads, and employments not in usual course of employer's trade, business, or occupation.	Voluntary as to employers of less than 3, farm labor, and domestics.
WASHINGTON	Compulsory as to all employments. Elective as to partners, sole proprietors, and joint venturers.	Compulsory as to the state, counties, municipalities or other taxing districts when engaged in extra hazardous work, unless other provision is made for injured employees.	Domestics, casual, railroad, or unpaid workers in eleemosynary institutions, child under 18 on a family farm, and jockeys.	Covers apprentices registered with Apprenticeship Council.
WEST VIRGINIA	Compulsory as to all employments. Elective as to corporate officers, partners, and sole proprietors.	Compulsory as to the state and all governmental agencies or departments, including elective or appointive officials.	Farm labor of 6 or less and domestic servants. Elective for clergy.	Voluntary coverage for not more than 3 casual employees for 10 days in any calendar quarter.
WISCONSIN	Compulsory as to all employments, except farm labors if paid $500 or more in any calendar quarter for services in the state. Compulsory as to farmers with 6 or more employees.	Compulsory as to all employees.	Domestic servants and employees not in usual course of employer's business.	Voluntary as to excluded employments.
WYOMING	Compulsory as to enumerated, extra-hazardous occupations conducted for gain.	Compulsory as to state, counties, and municipal corporations when engaged in extrahazardous work except sheriffs, constables, or their deputies, volunteer firemen, and enumerated law enforcement officers.	Domestic servants.	Elective as to ranch, farm, agricultural, horticultural, and stock raising employments employing one or more.[8]
F.E.C.A.		All civil employees of the U.S. and D.C. governments, including employees of wholly owned instrumentalities, and persons performing activities of civil employees without pay.		

NOTE: State courts vary in decisions whether minimum number of persons must be in state.

[1]Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation specified. An elective act is one in which the employer has the option to either accept or reject the act, but if he rejects it he loses the customary common law defenses (risk assumed by employee, negligence of fellow servants, and contributory negligence). In most states workers in excepted or excluded employments may be brought under coverage of the act through voluntary action of the employer. In other states, such action of the employer must be concurred in by the employees.

[2]Applying to private employments only. The exceptions for public employments are given under "Employments Covered—Public."

[3]Outworker is person to whom articles are given for cleaning, repair, etc., at home.

[4]Fla. "Elective for members of certain religious sects whose tenets prohibit benefits from insurance, provided the sect makes provision for its members."

[5]Texas "CETA employees are deemed employees of the sponsor who disburses wages."

[6]Vt. "Municipalities may elect coverage of other employees. Commissioner, State Treasurer, and State Auditor comprise Board that may award compensation to other state employees (except members of General Assembly and certain others)."

CHART II ☐ COVERAGE OF LAWS ☐ January 1, 1980 (continued)

JURISDICTION	EMPLOYMENTS COVERED[1]		EXCEPTIONS[2]	SPECIAL COVERAGE PROVISIONS[1]
	PRIVATE	PUBLIC		
LONGSHORE ACT	Compulsory as to all maritime employment nationwide, including longshoring, harborworking, shipbuilding, or ship repair.	Officers and employees of the U.S. or any state or foreign governments are not covered.	Master or crew of any vessel and persons unloading or repairing vessels of less than 18 tons. Not applicable to maritime employment in Puerto Rico.*	Act also applies to workers at military bases and public works abroad; welfare and morale service workers for military abroad; and workers for nonappropriated funds (ship's services, PX's, etc.) in U.S. and abroad.
ALBERTA	Compulsory as to all nonexempted employments. Corporate officers are covered*; employer may elect coverage for self. Elective as to partners and sole proprietors.	Compulsory as to provincial employees; mos. school teachers are exempt.	Employments listed in General Regulations (includes farm labor, domestics, outworkers[3], financial institutions, religious and charitable institutions, legal services, medical and dental services, athletes, and employees of labor unions).	Voluntary as to excepted employments and corporate directors. Board determines coverage of workers receiving nominal or no remuneration.
BRITISH COLUMBIA	Compulsory as to all employments listed in Part I. Employer may elect coverage for self.	Compulsory as to all provincial and municipal employees, including members of fire brigade, ambulance staff, and mine rescue or inspection workers.	Outworkers,[3] casual labor, performers.	Voluntary as to unenumerated employments. Board may include any industry by regulation. Lt. Gov.-in-Council may require coverage of commercial fishing industry.
MANITOBA	Compulsory as to all employments listed in Schedule I. Elective as to corporate officer, employer, or sole proprietor.	Compulsory as to all provincial and municipal employments, except employees of school boards, including teachers. Lt. Gov.-in-Council may exclude government agency workers.	Farm labor, domestic servants, outworkers,[3] casual labor.	Voluntary as to unenumerated and excepted employments. Lt. Gov.-in-Council may include any industry by regulation.
NEW BRUNSWICK	Compulsory as to all employers of 3 or more listed in Part I. Compulsory as to corporate officer. Employer may elect coverage for self.	Elective as to public employments.	Farm labor, outworkers,[3] domestic servants, and casual employees*.	Voluntary as to unenumerated and excepted employments. Board sets numerical exemption by regulation.
NEWFOUNDLAND	Compulsory as to employments listed in Part I. Includes corporate executives; owner of business may elect coverage for self.	All provincial employees are covered. Elective as to municipal officers. Board may exclude public officials by regulation.	Casual labor, outworkers,[3] and domestic servants.	Specifically covers owner of pulpwood logging business. Voluntary as to unenumerated and excepted employments. Unenumerated employers liable for negligence with defenses abrogated except contributory negligence, not applicable to domestic servants.
NORTHWEST TERRITORIES	Compulsory as to all employments. Elective as to corporate officers.	Compulsory as to territory government.	Partners in professional firms.	Commissioner may exempt industry, employer, or worker. Voluntary as to excepted employment.
NOVA SCOTIA	Compulsory as to employments listed in Part I. Board has exempted employers of 2 or fewer. Includes corporate executives; employer may elect coverage for self.	Elective as to public employments. Firemen and police are excluded. Board may exclude public officials.	Casual labor, outworkers,[3] farm labor, domestic servants. By regulation Board has excluded specific industries, including educational institutions, persons in medical and veterinary work and dental surgery, athletes, barbers, taxicabs, florists, horticultural employment, entertainers, and aviation industry.	Voluntary as to excepted employments. Board may include or exclude any industry or set numerical exemption by regulation.
ONTARIO	Compulsory as to all employments listed in Schedules I and II. Corporate officer may elect coverage.	Compulsory as to all provincial and municipal employments.	Domestic servants, outworkers.[3]	Voluntary as to unenumerated and excepted employments.
PRINCE EDWARD ISLAND	Compulsory as to employments listed in Part I. Board has exempted employers with 1 employee. Elective as to corporate officer.	Compulsory except for municipal officers. Municipal firemen and police may be covered on application.	Casual labor, outworkers,[3] farm labor, domestic servants, taxi industry, junk industry, employers of 9 or fewer, aviation industry, employers of 99 or fewer.	Voluntary as to unenumerated and excepted employments.
QUEBEC	Compulsory as to all employments listed in Schedules I and II.	Compulsory as to all provincial and municipal employments in industries covered in Schedules I and II.	Farm labor, domestic servants, outworkers,[3] and casual employees.	Voluntary as to unenumerated and excepted employments.
SASKATCHEWAN	Compulsory as to all employments. Compulsory for corporate officers and salaried employers.	Compulsory as to all provincial and municipal employments. Municipalities and corporations may elect coverage of mayor and members of governing body.	Farm and ranch labor, domestic servants, outworkers,[3] and teachers as defined by Education Act.	Voluntary as to excepted employments. Lt. Gov.-in-Council may exclude any industry, employer, or worker.
YUKON TERRITORY	Compulsory as to all employments.	Compulsory as to territory government.	Casual employees, domestics, outworkers.[3]	Voluntary as to excepted employments.
CANADIAN GOVERNMENT EMPLOYEES' ACT		Compulsory as to employees of government departments, Crown corporations, boards, commissions, etc., in Canada and abroad.		Claims are determined by provincial boards. Benefits same as for private employees in same province; worker in territory is deemed employed in Alberta.
CANADIAN MERCHANT SEAMEN'S ACT	Compulsory as to all employees of Canadian registered ships, as defined.		Pilots, apprenticed pilots, and fishermen.	No compensation payable if entitled under Government Employees' Compensation Act or any provincial act.

[1] Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation specified. An elective act is one in which the employer has the option of either accepting or rejecting the act, but if he rejects it he loses the customary common law defenses (risk assumed by employee, negligence of fellow servants, and contributory negligence); in most jurisdictions workers in excepted or excluded employments may be brought under coverage of the act through voluntary action of the employer. In other jurisdictions, such action of the employer must be concurred in by the employees.

[2] Applying to private employments only. The exceptions for public employments are given under "Employments Covered—Public."

[3] Outworker is person to whom articles are given for cleaning, repair, etc., at home.

Longshore: By decisional law, Garcia v. Freisecke, 367 F.2d 284, 1st Circ., cert. denied, ___ U.S. ___ (1974).

Alta.: Corporate director may elect coverage.

N.B.: By regulation also excludes fishing industry, employers of less than 10 workers in hand laundry, and air or water transport, employers of less than 500 workers on vessel in intraprovincial waters.

CHART III — COVERAGE OF MINORS — January 1, 1980

JURISDICTION	COVERED	FUTURE EARNING CAPACITY	ILLEGAL EMPLOYMENT	SPECIAL BENEFIT PROVISIONS
ALABAMA	Yes		Double compensation	Settlement valid
ALASKA	Yes	Considered		
AMERICAN SAMOA	Yes	Considered		Guardian may be required
ARIZONA	Yes	Considered		Lump sum payable to guardian
ARKANSAS	Yes		Double compensation*	
CALIFORNIA	Yes	Considered	50% additional compensation[1]	Settlement valid until claimed by parent or guardian
COLORADO	Yes		(+)	
CONNECTICUT	Yes	Considered		If under 18, 50% additional compensation for scheduled injury. If under 16, 100% added. Guardian may be required
DELAWARE	Yes			
DISTRICT OF COLUMBIA	Yes	Considered		
FLORIDA	Yes			Guardian may be required
GEORGIA	Yes			Board may appoint special guardian where no general guardian has been appointed
GUAM	Yes	Considered		Guardian may be required
HAWAII	Yes	Considered*		
IDAHO	Yes	Considered*		Lump sum under probate jurisdiction
ILLINOIS	Yes		If under 16, 50% additional compensation	Minor may elect suit for damages
INDIANA	Yes		If under 16, double compensation[1]	If over $100, payable to guardian
IOWA	Yes	Considered if apprentice or trainee		Settlement valid
KANSAS	Yes			Payments to minor, guardian or conservator
KENTUCKY	Yes	Considered		Lump sum payable to guardian
LOUISIANA	Yes*			
MAINE	Yes			
MARYLAND	Yes	Considered	Double compensation (discretionary)[1]	
MASSACHUSETTS	Yes	Considered	Double compensation[1]	If guardian is required, insurer must pay expenses
MICHIGAN	Yes	Considered*	If under 18, double compensation**	
MINNESOTA	Yes			Entitled to maximum benefit. Guardian may be required
MISSISSIPPI	Yes		Double compensation*	Guardian may be required
MISSOURI	Yes	Considered	50% additional compensation	
MONTANA	Yes	Considered		
NEBRASKA	Yes		Same as adults	
NEVADA	Yes		$300-$2000 payable into the state fund	
NEW HAMPSHIRE	Yes	Considered	Illegally employed, double compensation	
NEW JERSEY	Yes*		Under 14, or between 14-18 without permit, double compensation.** Minor may elect suit for damages	Guardian required
NEW MEXICO	Yes			
NEW YORK	Yes	Considered	If under 18, double compensation[1]	Applies to second injuries, rehabilitation, and reopened cases
NORTH CAROLINA	Yes	Considered*		Permanent disability payments over $500 payable to guardian
NORTH DAKOTA	Yes	Considered		Lump sum payable to guardian
OHIO	Yes	Considered	Double compensation	Lump sum payable to guardian
OKLAHOMA	Yes	Considered	Excluded	
OREGON	Yes		25% (maximum $500) to state fund	Lump sum payable to guardian
PENNSYLVANIA	Yes		If under 18, 50% additional compensation[1]	
PUERTO RICO	Yes		If under 18, double compensation	
RHODE ISLAND	Yes		Triple compensation	
SOUTH CAROLINA	Yes			If over $250, payable to guardian
SOUTH DAKOTA	Yes			
TENNESSEE	Yes			If over $250, payable to guardian
TEXAS	Yes	Considered		Payable to guardian
UTAH	Yes	Considered		Lump sum payable to guardian
VERMONT	Yes			
VIRGIN ISLANDS	Yes		Double the compensation accruing to 18-year-old	
VIRGINIA	Yes			If over $300, payable to guardian
WASHINGTON	Yes		50% to state fund*	If over $250, lump sum payable under probate jurisdiction
WEST VIRGINIA	Yes		Excluded	
WISCONSIN	Yes	Considered	Doubled or tripled**	Guardian may be required
WYOMING	Yes			Lump sum payable under probate jurisdiction
F.E.C.A.	Yes	Considered		
LONGSHORE ACT	Yes	Considered		
ALBERTA	Yes	Considered		Paid as Board deems best
BRITISH COLUMBIA	Yes	Considered		Paid as Board deems best
MANITOBA	Yes	Considered		Paid as Board deems best
NEW BRUNSWICK	Yes	Considered		Paid as Board deems best
NEWFOUNDLAND	Yes	Considered	If under 14, death benefit to parent may be withheld	Paid as Board deems best
NORTHWEST TERRITORIES	Yes	Considered		Paid as Board deems best
NOVA SCOTIA	Yes	Considered	If under 14, death benefit to parent may be withheld	Paid as Board deems best
ONTARIO	Yes	Considered	(+)	Paid as Board deems best
PRINCE EDWARD ISLAND	Yes	Considered	(+)	Paid as Board deems best
QUEBEC	Yes	Considered		Paid as Commission deems best
SASKATCHEWAN	Yes			Paid as Board deems best
YUKON TERRITORY	Yes	Considered		Paid as Commissioner deems best
CANADIAN MERCH. SEAMEN'S ACT	Yes			Paid as Board deems best

[1]Employer may not insure additional amount of compensation.

Ark. *Unless minor misrepresents age in writing to employer.

Colo. *Permanent disability and death benefits paid at maximum rate payable at time of death or determination of permanent disability.

Hawaii *Permanent total disability and death benefits based on AWW employee would have received at age 25.

Idaho *Adult wages for all scheduled injuries.

La. *Compulsory coverage for minors between 12 and 18 engaged in street trade.

Mich. *If under 25 with permanent disability and wages would have been expected to increase.
**Except in case of fraudulent use of permits or age certificates.

Miss. *Employer may not insure additional amount of compensation. Students 14 and over employed between semesters or on on-the-job training, and junior auxiliary firemen, are excepted.

N.J. *Does not apply if working under certificate.
**Employer may not insure additional amount of compensation. Students age 14 and over employed between semesters or on on-the-job training, and junior auxiliary firemen, are excepted.

N.C. *Compensation for permanent disability or death with surviving dependents is based on AWW paid an adult employee in a position to which a minor employee would likely be promoted; if no position exists, then the minor is entitled to the maximum benefit. In temporary disability and no-dependency death cases, compensation may be increased in proportion to expected earnings where total disability extends over 52 weeks.

Wash. *Imposed only if minor is below minimum age for employment.

Wis. *Doubles for minor of permit age employed without a permit. Maximum $7,500; tripled where such minor was employed in prohibited work, or in the case of minor under permit age and illegally employed. Maximum $15,000. Additional compensation payable by employer. Minors given contractual power under the Act. Employer misled by fraudulent written evidence of age by minor, extra compensation paid into special children's death benefit fund.

Ont. *Employer may be held individually liable.

P.E.I. *Employer may be held individually liable.

CHART IV COVERAGE OF OCCUPATIONAL DISEASES January 1, 1980

JURISDICTION	NATURE OF COVERAGE	MEDICAL BOARDS	ONSET OF DISABILITY OR DEATH	TIME LIMIT ON CLAIM FILING	DEDUCTIONS FROM DEATH AWARDS	MEDICAL CARE	COMPENSATION
ALABAMA	Elective for all diseases. Special provisions for radiation. Law includes federal Black Lung Act provisions.		Death—within 3 years after last exposure where employee was exposed to hazards within 5 years prior to injury, in each of at least 12 months. Radiation—death or disability within 3 years of exposure.	Within 1 year after injury, death or last payment. Radiation—within 1 year after disability or death and claimant knows should know relation to employment.		Unlimited.	Same as for accidents.
ALASKA	All diseases.			2 years after knowledge of relation to employment. Within 1 year after death.		Unlimited.	Same as for accidents.
AMERICAN SAMOA	All diseases.	Claimant examined by physician selected by Commissioner.		Within 1 year after claimant knows should know relation to employment.		Unlimited.	Same as for accidents.
ARIZONA	All diseases, includes radiation.	Board of 3 medical consultants may be appointed by Commission. Report is prima facie evidence of facts.		Within 1 year after disability or accrual of right.	Disability payments.	Unlimited.	Same as for accidents.
ARKANSAS	All diseases, includes radiation.		Death—within 2 years after last exposure, or 7 years if following continuous disability. Radiation diseases excepted.	Within 2 years after last exposure or 2 years after death. Within 2 years after employee is advised by physician of condition, in radiation cases.		6 months limit, may be extended indefinitely.	Same as for accidents including partial disability.
CALIFORNIA	All diseases.		Death—within 1 year after injury or 240 weeks if following continuous disability.	Disability—within 1 year from injury or last payment. Death—within 1 year after death and in no case more than 240 weeks after injury.		Unlimited.	Same as for accidents including partial disability.
COLORADO	All diseases.	Panel of 10, examinations or findings made by 1 or more members, advisory only.	Within 3 years after death; 5 years in case of radiation, asbestosis, silicosis, anthracosis, or 5 years if reasonable excuse.	Within 3 years after commencement of disability or death. Within 5 years in case of ionizing radiation, asbestosis, silicosis, or anthracosis.	Disability payments if death occurs more than 12 months after injury.	Maximum $20,000. Commission may authorize additional care from Medical Disaster Ins. Fund. Commission to fix schedule of fees.	Same as for accidents.
CONNECTICUT	All diseases, includes radiation.		Death—within 2 years after first manifestation of disease.	Within 1 year after first manifestation of disease; death—within 2 years after first manifestation of disease, or 1 year after death (whichever is later).		Unlimited.	Same as for accidents including partial disability.
DELAWARE	All diseases, includes radiation.			Disability or death—within 1 year after claimant knows relation to employment.		Unlimited.	Same as for accidents including partial disability.
DISTRICT OF COLUMBIA	All diseases.			Within 1 year after injury, death or last payment.		Unlimited.	Same as for accidents including partial disability.
FLORIDA	All diseases.		Death—following continuous disability and within 350 weeks after last exposure.	Within 1 year after injury, death or last payment. Within 2 years after injury in case of radiation disease.		Unlimited.	Same as for accidents including partial disability.
GEORGIA	All diseases.	Medical board of 5, finding conclusive.	Within 1 year after last exposure for disablement or death; 3 years for silicosis or asbestosis; 7 years for death following continuous disability.	Radiation—within 1 year after onset of disability and claimant knows should know relation to employment.	Disability payments.	Unlimited.	Same as for accidents including partial disability or loss of use of a member or vision of an eye.
GUAM	All diseases.			Within 1 year after injury, death or last payment.		Unlimited.	Same as for accidents.
HAWAII	All diseases, includes radiation.			Within 2 years after claimant knows relation to employment.		Unlimited.	Same as for accidents.
IDAHO	All diseases.		Death—within 1 year after last exposure or 4 years following continuous disability.	Within 1 year after manifestation of disease, death or 5 years after last payment. Radiation—within 1 year after disability or death and claimant knows should know relation to employment.	Disability payments.	Unlimited.	Same as for accidents.
ILLINOIS	All diseases. State has elected to pay under Act.		Disability—within 2 years after last exposure (3 years for beryllosis or silicosis). Radiation—disability or death within 25 years.	Within 3 years after disablement, death or last payment, whichever is later.	Disability payments, but with minimum compensation.	Unlimited.	Same as for accidents including partial disability.
INDIANA	All diseases.		Disablement—within 2 years after last exposure; within 3 years if exposed to asbestos, coal or silica dust. Death—within 2 years after disablement.	Within 2 years after disablement or death. Radiation—within 2 years after claimant knows should know relation to employment.	Disability payments.	Unlimited.	Same as for accidents including partial disability.
IOWA	All diseases.	Medical Board decides controverted medical questions, provides medical examinations for certain employees.	Disablement—within 1 year after exposure (3 years for pneumoconiosis). Death—within 2 years after last exposure, or 7 years following continuous disability.	Within 2 years after death or disablement. Radiation—within 90 days after disablement or death and claimant knows should know relation to employment.	Same as for accidents.	Unlimited.	Same as for accidents including partial disability.
KANSAS	All diseases.		Disablement—within 1 year after last exposure. Death—within 1 year after last exposure, 7 years after continuous disability.	Within 1 year after disablement or death. Radiation—within 1 year after claimant knows should know relation to employment.		Unlimited.	Same as for accidents.
KENTUCKY	All diseases. Special provision for loss of hearing. Law includes federal Black Lung Act provisions.*		Death—within 3 years after last exposure or first manifestation of disease (whichever is later); 25 years after last exposure if following continuous disability.	Disability—within 3 years after last exposure or first manifestation (whichever is later); death—within 3 years after death, waived if voluntary payment. Final deadline 5 years after last exposure except 20 years in radiation cases.		Unlimited.	Same as for accidents including partial disability. Payable by employer where last injuriously exposed.**

Ky. *Black lung claimant must file under state and federal law.

**Where disablement occurs after 5 years' exposure or results from coal miner's pneumoconiosis, benefits may be apportioned among employer of last exposure and several state funds.

CHART IV ☐ COVERAGE OF OCCUPATIONAL DISEASES ☐ January 1, 1980 (continued)

JURISDICTION	NATURE OF COVERAGE	MEDICAL BOARDS	ONSET OF DISABILITY OR DEATH	TIME LIMIT ON CLAIM FILING	DEDUCTIONS FROM DEATH AWARDS	MEDICAL CARE	COMPENSATION
LOUISIANA	All diseases		Diseases contracted in less than 1 year presumed to be nonoccupational. Presumption is rebuttable by overwhelming preponderance of evidence.	Disablement—within 4 months after contraction or manifestation. Notice to insurer constitutes claim. Death—within 6 months after death.	Same as for accidents.	Unlimited.	Same as for accidental injury.
MAINE	All diseases. Special provisions for loss of hearing.			Within 2 years after injury or last payment or 1 year after death.*	Disability payments.	Unlimited.	Same as for accidents.
MARYLAND	All diseases. Special provisions for radiation and loss of hearing. Law includes federal Black Lung Act provisions.*	Board of 3 appointed by Governor. Findings conclusive.	Disability—within 1 year after last exposure. Death—within 7 years if continuous disability.**	Within 2 years after disablement, death, or actual knowledge of relation to employment; delay excusable under certain circumstances.**		Unlimited.	Same as for accidents, including partial disability.
MASSACHUSETTS	All diseases.			Within 1 year after injury or death; excusable.	Disability payments.	2 weeks limit; may be extended in unusual cases.	Same as for accidents, including partial disability.
MICHIGAN	All diseases.			Within 6 months after disablement or 1 year after death. Within 3 years if disability develops after 6 months from date of injury.		Unlimited.	Same as for accidents, including partial disability.
MINNESOTA	All diseases.* Includes radiation.			Within 3 years after employee's knowledge of cause and disability.	Disability payments.	Unlimited.	Same as for accidents, except for partial disability.
MISSISSIPPI	All diseases.			Within 2 years after injury or death.	Same as for accidents.	Unlimited.	Same as for accidents.
MISSOURI	All diseases.			1 year after injury, death, or last payment.*	Disability payments.	180 days; may be extended.	Same as for accidents, including partial disability.
MONTANA	All diseases.* Law includes federal Black Lung Act provisions.*	Examinations made by 1 or more members of the occupational disease panel.**	Disability must occur within *20 days after date of last employment; extendable to 1 year. For silicosis, 4 years after last employment. Death must occur 1 year after last employment; 3 years if continuously disabled. Silicosis—within 4 years after last employment; 7 years if continuously disabled.	Within 1 year after claimant knows should know relation to employment; may be extended 2 more years. Within 3 years after date of last employment.	Disability payments.	Unlimited.	Same as for accidents, including partial disability.
NEBRASKA	All diseases.			Within 2 years after injury or death.		Unlimited.	Same as for accidents, including partial disability.
NEVADA	All diseases by schedule or definition.	Medical Board as provided for in Industrial Commission.		Within 90 days after disability or 1 year after death.	Disability payments.	Unlimited.	Same as accident. Excluded employers may elect to come under Act by voluntary compliance with rules of Commission.
NEW HAMPSHIRE	All diseases, includes radiation.			As soon as practical within 90 days after injury, death, last payment. Extended unless undue prejudice. Notice required within 2 years from date of disablement.*	Disability payments.	Unlimited.	Same as for accidents.
NEW JERSEY	All diseases. Special provisions for loss of hearing.			Within 2 years after claimant knows relation to employment.		Unlimited.	Same as for accidents.
NEW MEXICO	All diseases.			Within 1 year after disability or death. Radiation—within 2 years after incapacity and claimant knows should know relation to employment.	Disability payments.	Unlimited.	Same as for accidents.
NEW YORK	All diseases.		Certain latent diseases must be contracted within 5 years prior to death except radiation cases.	Within 2 years after injury or death or 90 days after disablement and claimant's knowledge for slow starting diseases. Special provision for radiation cases.		Unlimited.	Same as for accidents, including partial disability. Also, partial disability for silicosis and other dust diseases.*
NORTH CAROLINA	All diseases; includes radiation. Special provisions for loss of hearing.	Board of 3 appointed by Commission; findings advisory.	Death within 2 years after injury or 6 years if totally disabled.	Within 2 years after disablement, death, or last payment. Radiation—within 2 years after incapacity and claimant knows should know relation to employment.		Unlimited.	Same as accidents, including partial disability (unpaid death benefits of 104 weeks paid to victims' survivors of silicosis or asbestosis cases plus 300 additional weeks if totally disabled).
NORTH DAKOTA	All diseases. Law includes federal Black Lung Act provisions.*		Disability within 1 year after injury, if disability before death; death within 1 year after disability ceases; death must occur within 6 years from injury.	Within 1 year after injury or death.		Unlimited.	Same as accidents, including partial disability.
OHIO	All diseases.	Medical specialist in specific cases. Findings advisory.		Within 2 years after disability or death but no longer than 6 months after diagnosis or death.		Unlimited.	Same as for accidents, including partial disability.

Maine: *Time for filing claims for disability due to radiation does not begin to run until claimant knows/should know causal connection, and worker need not be exposed for minimum 60 day period.

Md.: *Except black lung cases eligible for benefits under federal law.
**Pulmonary dust disease—3 years.

Minn.: *Special provision for nurses in contact with tuberculosis.

Mo.: *Time does not begin to run until it becomes reasonably apparent that compensable injury has been sustained.

Mont.: *Employee may reject in writing.
**Employer may require physical examination of employees. Employer is not liable for future disabilities of employee who has occupational disease but is not disabled.

N.H.: *Date of injury is last date of exposure or first date worker knows/should know relation to employment.

N.Y.: *Total disability or death due to dust reimbursed from special fund for all payments over 104 weeks.

N.D.: *Maximum weekly benefits payable pursuant to black lung law — §101.47 (11/77).

CHART IV ☐ COVERAGE OF OCCUPATIONAL DISEASES ☐ January 1, 1980 (continued)

JURISDICTION	NATURE OF COVERAGE	MEDICAL BOARDS	ONSET OF DISABILITY OR DEATH	TIME LIMIT ON CLAIM FILING	DEDUCTIONS FROM DEATH AWARDS	MEDICAL CARE	COMPENSATION
OKLAHOMA	All diseases		Within 5 years from date of filing or last payment	Within 18 months after last exposure or manifestation and diagnosis by a physician		Unlimited	Same as for accidents
OREGON	All diseases			Within 5 years after last exposure and within 180 days after disablement or physician informs claimant of disablement. 10 years after last exposure for radiation disease		Unlimited	Same as for accidents including partial disability
PENNSYLVANIA	All diseases (includes radiation). Law includes special black lung provisions.*	Board may order examination by impartial physician	For silicosis, asbestosis, and coal miners' pneumoconiosis, disability or death within 4 years after last exposure	Within 3 years after disablement, death, or last payment. Radiation—within 3 years after the employee knows/should know relation to employment		Unlimited plus vocational rehabilitation	Same as for accidents
PUERTO RICO	All diseases		Disability—within 1 year after last exposure, except diseases with longer latency periods	Within 3 years from time employee learns nature of disability		Unlimited	Same as for accidents
RHODE ISLAND	All diseases	Director of Labor appoints impartial physician		Within 3 years after disability or death. Radiation—within 1 year after claimant knows/should know relation to employment	Disability payments	$800 $1,200 first; may be extended	Same as for accidents including partial disability
SOUTH CAROLINA	All diseases. Law includes special provisions for radiation	Medical Board determines controverted medical questions; pulmonary cases may be referred to pulmonary specialist of state medical universities		Within 2 years after disability or definitive diagnosis and knowledge or 1 year after death. Radiation—within 2 year after claimant knows/should know relation to employment	Disability payments	Unlimited	Same as for accidents including partial disability
SOUTH DAKOTA	All diseases.* Includes radiation	Division may contract with physicians for reports		Within 2 years after disability or death. Radiation—within 1 year after disability and claimant knows relation to employment	Disability payments	Unlimited	Same as accidents with limitations as specified, but increasing monthly compensation as required
TENNESSEE	All diseases. Law includes federal Black Lung Act provisions.*			Within 1 year after incapacity or death	Same as for accidents	Unlimited	Same as accidents, including partial disability
TEXAS	All diseases	Provides for medical committee to pass on controverted questions, and with power to order examinations		Within 6 months after injury or first distinct manifestation, 6 months after death. May be extended	Same as for accidents		Same as for accidents
UTAH	All diseases; special provision for loss of hearing. Law includes federal Black Lung Act provisions	Commission appoints medical panel of 1 or more to report on extent of disability	Partial disability—within 2 years after last exposure	Within 1 year after cause of action arises, 1 year after death. Partial disability—within 2 years. Radiation—within 1 year after claimant knows/should know relation to employment	Disability payments	Unlimited. Loss of hearing—$7,000 maximum	Same as for accidents. Temporary total disability limited to 52 weeks. Permanent partial disability limited to 104 weeks
VERMONT	All diseases		Disablement—within 5 years after last exposure. Death—during employment or after continuous disability beginning within 5 years after last exposure, but no later than 12 years after last exposure. Does not apply to radiation	Within 1 year after discovery, death, loss of damage suit, or removal of incapacity. Radiation—within 1 year after first incapacity and worker knew/should have known relation to employment		Unlimited	Same as for accidents unless exception stated
VIRGIN ISLANDS	All diseases		Occupational deafness—within 6 months after last exposure	Within 60 days after disability		Same as for accidents	Same as for accidents
VIRGINIA	All diseases. Law includes federal Black Lung Act provisions			Within 2 years after diagnosis is first communicated to worker, or within 5 years after last exposure whichever is first.* Within 3 years after last payment or death	Disability payments	Unlimited	Same as for accidents including partial disability
WASHINGTON	All diseases			Within one year after physician's notice to claimant		Limited to compensable period; may be extended	Same as for accidents including partial disability
WEST VIRGINIA	All diseases. Law includes special black lung provisions	Occupational Diseases Medical Board appointed by Commissioner determines medical questions.* Findings conclusive unless objected to within 30 days		Within 3 years after knowledge or last exposure. Within 2 years after death		$3,000 maximum but may be extended if necessary	Same as for accidents including partial disability. In death cases: $80 per month to dependent father and mother
WISCONSIN	All diseases. Special provision for loss of hearing	May appoint independent medical expert in doubtful cases		Within 2 years after injury or death, or after claimant knows/should know relation to employment. All rights barred after 10 years from injury, death, or last payment except when employer knows of injury.*		Unlimited. Loss of hearing—$7,000 maximum	Same as for accidents including partial disability
WYOMING	All diseases	Yes		Within 1 year after diagnosis or 3 years after exposure, whichever is first. Within 1 year after death. Radiation—within 1 year after diagnosis	Disability payments	Unlimited	Same as for accidents
F.E.C.A.	All diseases			Within 60 days after injury or 1 year after death. Extended for cause		Unlimited	Same as for accidents
LONGSHORE ACT	All diseases			Within 1 year after injury or death		Unlimited	Same as for accidents

Pa.* Where disablement develops only after 5 years' exposure, liability is borne 60% by employer and 40% by state. Black lung provisions provide for employer-state benefit cost sharing on a scale increasing yearly.

S.D.* Heart and lung diseases arising out of and in the course of employment are deemed occupational diseases.

Tenn.* Maximum weekly benefits payable pursuant to black lung law: $107.05 (11/78).

Va. *5-year limitation does not apply to cataract of the eyes, skin cancer, radium disability, ulceration, undulant fever, angiosarcoma of the liver due to vinyl chloride exposure, or mesothelioma.

W. Va. *Occupational Pneumoconiosis Board considers only this disease.

Wis. *Radiation or lung disease—12 years. Claims made after 10 or 12 years paid from Work Injury Supplemental Fund.

CHART IV ☐ COVERAGE OF OCCUPATIONAL DISEASES ☐ January 1, 1980 (continued)

JURISDICTION	NATURE OF COVERAGE	MEDICAL BOARDS	ONSET OF DISABILITY OR DEATH	TIME LIMIT ON CLAIM FILING	DEDUCTIONS FROM DEATH AWARDS	MEDICAL CARE	COMPENSATION
ALBERTA	All diseases	Independent medical board may be appointed to report on medical questions and extent of disability	Disablement presumed compensable if within 1 year after last exposure	Within 1 year after injury or death; 3 years after death if worker filed for injury. Silicosis—disablement or death following exposure during 450 work shifts		Unlimited	Same as for accidents
BRITISH COLUMBIA	All diseases	Medical review panel appointed by Lt.-Gov. in Council. Decision final as to medical evidence		Within 1 year after disablement or death; excusable within 3 years *		Unlimited	Same as for accidents
MANITOBA	All diseases	Medical or neurosis review panel reports on medical questions. Special panel for silicosis		Within 1 year after injury or death. Silicosis—1 year after last exposure, if continuously exposed; within 2 years after exam free of disease		Unlimited	Same as for accidents
NEW BRUNSWICK	All diseases	Medical panel appointed by Lt.-Gov. in Council. Decision final as to medical evidence	Disablement within 1 year after exposure	Within 1 year after injury or 6 months after death		Unlimited	Same as for accidents
NEWFOUNDLAND	All diseases	Committee of medical referees appointed by Board. Decision final as to medical evidence	Disablement within 10 years after retirement	Within 6 months after injury or death		Unlimited	Same as for accidents
NORTHWEST TERRITORIES	All diseases	Board may require examination by impartial physician		Disability—within 1 year after injury, excusable. Death—within 3 years after last employment and within 3 years after death		Unlimited	Same as for accidents
NOVA SCOTIA	All diseases	Board may appoint medical board to advise on silicosis and coal miner's pneumoconiosis cases	Disablement or death within 1 year after last employment (no limit for radiation)	Within 6 months after injury or death. Silicosis or coal miner's pneumoconiosis—within 5 years after last employment and within 1 year after discovery of relation to employment, excusable but paid only from filing date		Unlimited	Same as for accidents
ONTARIO	All diseases			Within 6 months after injury or death; excusable		Unlimited	Same as for accidents
PRINCE EDWARD ISLAND	All industrial diseases		Disablement within 1 year after last exposure	Within 6 months after injury or death		Unlimited	Same as for accidents
QUEBEC	All diseases		Disablement within 1 year after last exposure	Within 6 months after injury or death		Unlimited	Same as for accidents
SASKATCHEWAN	Medical panel issues final decision on disputed medical questions		Disablement with 1 year after last exposure	Within 6 months after injury or death		Unlimited	Same as for accidents
YUKON TERRITORY	All diseases	Disputes may be referred to 1 practitioner for decision	Death—3 years after last exposure*	Disability—1 year after last exposure*		Unlimited	Same as for accidents
CANADIAN MERCHANT SEAMEN'S ACT	All diseases	Disablement in the course of employment, otherwise than as a result of an accident, is compensated as for an accident					

B.C. *After 3 years, compensation is payable only from date of filing.

Yukon *Within 3 years after accident in just case if proof is filed with Commissioner.

PART 2
BENEFITS PROVIDED

Since workers' compensation imposes an absolute (but limited) liability upon the employer for employee disabilities caused by the employment, the benefits payable to the injured employee attempt to cover most of the worker's economic loss. This loss includes both loss of earnings and extra expenses associated with the injury.

Specifically, the benefits provided are:

- **Cash benefits,** which include both impairment benefits and disability benefits. The former are paid for certain specific physical impairments, while the latter are available whenever there is an impairment *and* a wage loss.
- **Medical benefits,** which are usually provided without dollar or time limits. In the case of most workplace injuries, only medical benefits are provided since substantial impairment or wage loss is not involved.
- **Rehabilitation benefits,** which include both medical rehabilitation and vocational rehabilitation for those cases involving severe disabilities.

CASH BENEFITS

In considering workers' compensation income or cash benefits—which replace employee loss of income or earning capacity due to occupational injury or disease—*four classifications of disability* are used: (1) temporary total, (2) permanent total, (3) temporary partial, and (4) permanent partial. Permanent partial is divided into "nonscheduled" and "scheduled" disabilities.

Most cases involve *temporary total disability.* That is, the employee—although totally disabled during the period when benefits are payable—is expected to recover and return to employment. *Permanent total disability* generally indicates that the employee is regarded as totally and permanently unable to perform gainful employment.

INCOME BENEFITS FOR PERMANENT AND TEMPORARY TOTAL DISABILITY: CHART V

Income or cash benefits payable under either temporary total or permanent total disability are shown in Chart V. For computing weekly benefit payments, a formula—expressed as a percentage of wage—is used. In most states limitations are placed on maximum and minimum benefits payable weekly; some states also limit the total number of weeks and total dollar amount of benefit eligibility. Where there is permanent total disability most states provide payments extending through the employee's lifetime.

For either temporary total or permanent total disability the wage-replacement percentage in each jurisdiction is the same. However, in permanent total disability cases both the time limits tend to be longer and the total dollar amounts higher than in cases of temporary total disability. Some states—as shown in the Chart V Notations column—provide additional amounts for dependents and other benefits.

PARTIAL DISABILITY

Most awards and the preponderance of dollars paid out as income benefits are either for temporary total or permanent partial disability. As partial disabilities involve current earnings or wage-earning ability, in many states weekly benefit payments for temporary or permanent *partial disabilities* of the "non-scheduled" type are based on a wage-loss replacement percentage. The percentage applies to the difference between wages earned before and after injury. In some states "non-scheduled" permanent partial disabilities are compensated as a percentage of the total disability cases.

INCOME BENEFITS FOR SCHEDULED INJURIES: CHART VI

Chart VI indicates maximum amounts payable in cases of "scheduled" injuries. Listed by law, these injuries involve loss—or loss of use of—specific body members, where wage loss based on nature of impairment is presumed. In most jurisdictions the actual amount payable is a specific number of weeks of benefits (based on the member involved) multiplied by the weekly benefit amount (based on earnings at time of injury).

The chart also indicates whether the "scheduled" award is in addition to any payment otherwise payable to the employee while he may be temporarily totally disabled (healing period). Some states limit the amount payable for such periods of temporary total disability.

The Canadian statutes do not provide schedules of specific injuries. Cases are decided individually using medical impairment ratings as guidelines.

SURVIVOR BENEFITS FOR FATAL INJURIES: CHART VII

Benefits payable in the event of fatal injuries—comprising more than 15 percent of all total income benefits—are shown in Chart VII. The benefits provided include a burial allowance as well as a proportion of the worker's former weekly wages.

Although death is the ultimate work-related tragedy, the economic loss associated with death cases is often less than that of a permanent total disability. Because of these considerations, death benefits are generally paid to the spouse until remarriage and to the children until a specified age. In addition, some laws provide a maximum benefit total expressed as a maximum period for the payment of benefits.

MEDICAL BENEFITS, WAITING PERIOD: CHART VIII

Medical Benefits—amounting to about 32 percent of all workers' compensation benefits paid—are shown in Chart VIII. In all U.S. jurisdictions and all Canadian provinces unlimited medical benefits are provided either specifically by statute or by administrative discretion.

Waiting Periods—Statutes provide that a waiting period must elapse during which income benefits are not payable. This waiting period affects only compensation; medical and hospital care are provided immediately. If disability continues for a certain number of days or weeks, most laws provide for payment of income benefits retroactive to the date of injury. Statutory provisions for waiting periods are summarized in Chart VIII.

REHABILITATION BENEFITS: CHART IX

Mutual interests of disabled employees and employers generally favor starting rehabilitation as soon as possible. Although rehabilitation is considered an integral part of complete medical treatment, its uses may extend beyond this (for example, where it includes vocational rehabilitation and retraining).

Specific rehabilitation provisions now in workers' compensation laws are outlined in Chart IX. However, rehabilitation is provided in all states even if unspecified in the law. Maintenance allowance amounts and special fund sources to finance rehabilitation also are indicated.

Insurance carriers and many employers having medical departments are leaders in carrying on rehabilitation for the industrially injured. Likewise, many major industries have comprehensive programs for employment of the physically handicapped. Smaller industries maintain modified programs for placement of disabled individuals in congenial tasks. All of these private programs help employees and employers alike.

The Federal Vocational Rehabilitation Act is now effective in all states; it includes federal funds to aid states in vocational rehabilitation of the industrially disabled.

CHART V INCOME BENEFITS FOR TOTAL DISABILITY January 1, 1980

JURISDICTION	PERCENT OF WAGES	MAXIMUM WEEKLY PAYMENT		MINIMUM WEEKLY PAYMENT		TIME LIMIT	AMOUNT LIMIT	AUTOMATIC COST OF LIVING INCREASE	OFFSETS[2]	NOTATIONS
		AMOUNT	RATE	AMOUNT	RATE					
ALABAMA	66-2/3	$136.00	66-2/3% SAWW	$51.00[1]	25% SAWW[1]	TT—300 weeks PT—Disability	TT—$38,400			Annual increase in maximum effective July 1.*
ALASKA	66-2/3	650.00	166-2/3% SAWW*	65.00[1]		Disability		TT—after 2 years PT	Social Security	Annual increase in maximum effective January 1.
AMERICAN SAMOA	66-2/3					Disability				Compensation increased 10% if installment without award unpaid after 14 days; 20% if installment following award unpaid after 10 days.
ARIZONA	66-2/3	192.30		30.76		TT—Disability PT—Life				Benefits payable monthly.* Additional $10 monthly if 1 or more total dependents; not subject to maximum.
ARKANSAS	66-2/3	TT— 87.50 PT—126.00*		15.00		TT—450 weeks PT—Disability	TT—56,700*			15% penalty for employer's violation of safety laws; payable to Second Injury Fund.
CALIFORNIA	66-2/3	154.00		49.00		TT—Disability PT—Life		TT—after 2 years		Additional $70 weekly during rehabilitation. 50% increased compensation if injury due to employer's serious, willful misconduct; may be violation of safety order.
COLORADO	66-2/3	222.73	80% SAWW			TT—Disability PT—Life			Social Security	Annual increase in maximum effective July 1. Compensation increased 50% if employer failed to comply with insurance provisions. Compensation decreased 50% if injury results from worker's failure to obey safety regulations or from intoxication.
CONNECTICUT	66-2/3	261.00	100% SAWW	20.00		Disability		October 1		Annual increase in maximum effective October 1. Additional $10 weekly per dependent child under 18; maximum 50% of basic benefit or 75% of wage (whichever is less). Compensation increased to 75% of wages if employer violated OSHA regulation.*
DELAWARE	66-2/3	164.71	66-2/3% SAWW	54.90[1]	22.2/9% SAWW[1]	Disability				Annual increase in maximum effective July 1.
DISTRICT OF COLUMBIA	66-2/3	426.26	200% NAWW	106.57[1]	50% NAWW[1]	Disability		PT—October 1		Annual increase in maximum effective October 1.
FLORIDA	66-2/3	211.00	100% SAWW						Unemployment compensation, Social Security	Annual increase in maximum effective January 1. Compensation increased 10% if installment unpaid after 14 days.
GEORGIA	66-2/3	110.00		25.00[1]		Disability				Board may assess $500 penalty for refusal, unreasonable delay, or willful neglect to make payment.*
GUAM	66-2/3	56.00		28.00[1]		Disability	20,000			Compensation increased 10% for late payment without award; 20% if award.
HAWAII	66-2/3	215.00	100% SAWW	TT—54.00* PT—54.00	TT—25% SAWW* PT—25% SAWW	Disability				Annual increase in maximum effective January 1. Compensation may be increased 10% for failure to pay within 31 days after decision or award, or within 10 business days for uncontroverted temporary total disability case.
IDAHO	60	181.80	90% SAWW	90.90	45% SAWW	Disability				Annual increase in maximum effective January 1. For first 52 weeks benefit is 60% of worker's wages if there are no dependent children under 18; after 52 weeks benefit is 50% of SAWW. Benefit is increased 7% of SAWW per dependent child (up to 5), but may not exceed 90% of wages or 90% of SAWW.
ILLINOIS	66-2/3	353.19	133-1/3% SAWW	TT—100.90* PT—132.45	PT—50% SAWW	TT—Disability PT—Life		PT—July 15 of 2nd year		Semiannual increases in maximum effective January 15 and July 15.**
INDIANA	66-2/3	130.00*		50.00[1]		500 weeks	65,000*			Additional benefits from second injury fund payable in 150-week increments.**
IOWA	80% of spendable earnings	352.00	166-2/3% SAWW*	[illegible]		Disability				Annual increase in maximum effective July 1.
KANSAS	66-2/3	148.00	72% SAWW*	25.00		Disability	TT— 75,000 PT—100,000 (includes TT)			Annual increase in maximum effective July 1. Compensation may be increased up to $100 per week past due (plus up to $25 per week past due for failure to pay medical bill).
KENTUCKY	66-2/3	131.00	60% SAWW	44.00[1]	20% SAWW[1]	Disability				Annual increase in maximum effective January 1. Compensation increased or decreased 15% if injury caused by safety violation. Late payment penalty is 6% per year.
LOUISIANA	66-2/3	149.00	66-2/3% SAWW	44.00[1]	20% SAWW[1]	Disability			PT—Social Security	Annual increase in maximum effective September 1.

[1] Actual weekly wage if less.

[2] Social Security offsets generally apply by formula up to 50% of basic benefit.

Alab. *Compensation may be increased up to 10% for failure to pay within 30 days after due.

Alaska *Maximum increased to 200% of SAWW, effective 1.1.81.

Ariz. *Maximum monthly wage is $1250.

Ark. *Maximum PT is $112 from 3.1.79 to 3.1.80, $126 effective 3.1.80. Maximum amount for TT is $50,400 from 3.1.79 to 3.1.80, $56,700 effective 3.1.80.

Conn. *Maximum benefit including allowance for dependents works out to $391.50; 10.1.79 to 10.1.80, 12% interest added if undue delay in payment, 6% interest added if undue delay in adjustment (4 weeks presumed undue delay).

Ga. *Income benefits payable without award increased 15% if not paid within 14 days unless claim is controverted or Board excuses. Awarded benefits increased 20% if not paid within 20 days unless Board grants review.

Hawaii *Actual wages if less, but no less than $38.

Ill. *Minimum TT benefit is $100.90 if unmarried and ranges up to $124.30 if married with 4 or more dependents. In all cases claimant receives actual weekly wage if less.
**TT benefits may be increased $10 per day, up to $2,500, for unreasonable delay in payment. 14 days is presumed unreasonable. Compensation may be increased 50% for unreasonable or vexatious delay in payment. Compensation may be increased 25% for employer's willful violation of safety standard.

Ind. *Effective 7.1.80, maximum PT benefit increased to $140, and maximum amount increased to $70,000.
**Award is increased 5% if employer loses on court appeal; court may increase to 10%.

Iowa *Maximum increased to 200% of SAWW, effective 7.1.81.
**Minimum weekly wage is 35% of SAWW (= $74); benefits determined by worker's tax status.

Kans. *Maximum increased to 75% of SAWW, effective 7.1.80.

CHART V □ INCOME BENEFITS FOR TOTAL DISABILITY □ January 1, 1980 (continued)

JURISDICTION	PERCENT OF WAGES	MAXIMUM WEEKLY PAYMENT		MINIMUM WEEKLY PAYMENT		TIME LIMIT	AMOUNT LIMIT	AUTOMATIC COST OF LIVING INCREASE	OFFSETS[2]	NOTATIONS
		AMOUNT	RATE	AMOUNT	RATE					
MAINE	66-2/3	$306.23	166-2/3% SAWW*	$25.00		Disability		July 1	Unemployment compensation	Annual increase in maximum effective July 1. Compensation may be increased 10% for failure to pay uncontroverted claim within 10 days.**
MARYLAND	66-2/3	241.00	100% SAWW	25.00[1]		TT—208 weeks PT—Disability		(+)		Annual increase in maximum effective January 1. If permanent disability exceeds 50% of whole body, worker receives additional compensation from Subsequent Injury Fund after completion of payments by employer.
MASSACHUSETTS	66-2/3	227.31	100% SAWW	40.00*		Disability	TT—$45,000 (includes permanent partial disability)			Annual increase in maximum effective October 1. Additional $6 weekly per dependent; total benefit not subject to maximum but may not exceed 100% of wages.**
MICHIGAN	66-2/3	171.00 to 200.00		134.00 to 149.00		Disability*		PT	Social Security—persons age 65 to 75	Annual increase in maximum effective January 1. Minimum is increased $3 per dependent up to 5 dependents; maximum is increased $5 for first dependent and $6 each for second through fifth dependents.**
MINNESOTA	66-2/3	226.00	100% SAWW	113.00*	50% SAWW*	Disability		October 1	PT—Social Security after $25,000 paid	Annual increase in maximum effective October 1. 8% interest for late payments.
MISSISSIPPI	66-2/3	98.00		25.00		450 weeks	44,100			Additional rehabilitation allowance up to $10 weekly for 52 weeks.
MISSOURI	66-2/3	TT—125.00 PT—120.00		TT—16.00[1] PT—16.00		TT—400 weeks	TT—50,000			
MONTANA	66-2/3	198.00	100% SAWW			PT—Life Disability			Social Security	Annual increase in maximum effective July 1. Compensation may be increased 20% for period payment is unreasonably delayed or refused.
NEBRASKA	66-2/3	180.00		49.00[1]		Disability				
NEVADA	66-2/3	229.17	100% SAWW			TT—Disability PT—Life				Benefits payable monthly. Annual increase in maximum effective July 1.
NEW HAMPSHIRE	66-2/3*	195.00	100% SAWW	30.00*		Disability**		July 1		Annual increase in maximum effective July 1. Double compensation if employer violated prior recorded safety standard.
NEW JERSEY	70	185.00	75% SAWW	49.00		TT—400 weeks PT—Life				Annual increase in maximum effective January 1. After 450 weeks at reduced rate if employed; at full rate if not able to be rehabilitated.
NEW MEXICO	66-2/3	201.04	100% SAWW	36.00[1]		600 weeks	120,264			Annual increase in maximum effective January 1. 10% additional compensation payable by employer for failure to provide safety devices.
NEW YORK	66-2/3	215.00		TT—20.00[1] PT—30.00[1]		Disability				Persons receiving PT benefits may collect full compensation and wages if working, but not in excess of pre-injury wage.
NORTH CAROLINA	66-2/3	194.00	100% SAWW	20.00		TT—Disability PT—Life				Annual increase in maximum effective October 1.
NORTH DAKOTA	66-2/3	196.00	100% SAWW	118.00[1]	60% SAWW[1]	Disability			Social Security	Annual increase in maximum effective July 1. Additional $5 weekly per dependent child under 18; total benefits not subject to maximum but may not exceed pre-injury after-tax wages.
OHIO	72—first 12 weeks 66-2/3—after 12 weeks	258.00	100% SAWW	TT—86.00[1] PT—129.00[1]	TT—33-1/3% SAWW[1] PT—50% SAWW[1]	TT—200 weeks* PT—Life				Annual increase in maximum effective January 1. If PT benefit plus Social Security are less than $115.75 weekly, Disabled Workers Relief Fund pays difference; amount increased annually by increase in Consumer Price Index.
OKLAHOMA	66-2/3	TT—141.00 PT—110.00*	TT—66-2/3% SAWW	30.00[1]		TT—300 weeks PT—Disability				Annual increase in maximum TT effective October 1. TT may be extended to 500 weeks.
OREGON	66-2/3	241.70	100% SAWW	50.00*		Disability			PT—Social Security	Annual increase in maximum effective July 1. Additional $5 weekly per dependent (up to 5) not subject to maximum.**
PENNSYLVANIA	66-2/3	242.00	100% SAWW	121.00*	50% SAWW*	Disability				Annual increase in maximum effective January 1.
PUERTO RICO	66-2/3	TT—45.00 PT—31.25		TT—10.00 PT—12.50		TT—312 weeks PT—Life	PT—$18,900			Compensation doubled if due to employer's violation of safety or health law or regulation.
RHODE ISLAND	66-2/3	199.00*	100% SAWW	30.00		Disability**				Annual increase in maximum effective September 1. Additional $6 per dependent child under 18; total benefit not subject to maximum, but may not exceed 80% of pre-injury wages.
SOUTH CAROLINA	66-2/3	197.00	100% SAWW	25.00		500 weeks				Annual increase in maximum effective January 1.
SOUTH DAKOTA	66-2/3	175.00	100% SAWW	87.50[1]	50% SAWW[1]	TT—Disability PT—Life				Annual increase in maximum effective July 1.
TENNESSEE	66-2/3	107.00		15.00		TT—Disability PT—550 weeks*	42,800			After 400 weeks PT benefit is reduced to $15.

Maine: *Maximum increased to 200% of SAWW, effective 7.1.81.
**Carrier may be assessed up to $25 per day for failure to pay award within 10 days. Added benefits during rehabilitation—$35 weekly.

Md.: *Benefits increased January 1 for persons injured any time during July 1, 1965, through June 30, 1978, and receiving PT benefits in July, 1973.

Mass.: *Actual wages if less, but no less than $20 if working at least 15 hours a week.
**Double compensation if injury due to employer's serious and willful misconduct. If no benefits are paid prior to final decision of claim, award is based on benefits in effect at time of decision instead of date of injury.

Mich.: *Conclusive presumption of PT disability does not extend beyond 800 weeks from injury, thereafter determined in accordance with facts.
**Maximum raised $1 for every $1.50 increase in SAWW. Additional $50 per day for award unpaid after 30 days, maximum $1,500.

Minn.: *Actual wages if less, but no less than 20% of SAWW, $45.00 through 9.30.80.

N.H.: *If wage is less than $30, benefit is actual wage; if wage $30-$35, benefit is $30; if wage $35-$40, benefit is $32; benefit increases in $3 increments per $5 increase in wage up to $135; if wage $135-138, benefit is $92; if wage is over $138, benefit is 66-2/3% of wage up to maximum.
**After six successive years of payment, additional payments may be made only on order of the commissioner upon application by the employee and to the employer, if employer objects, a medical panel is provided for.

Ohio: *After 200 weeks claimant examined to determine if disability is permanent.

Okla.: *Maximum PT benefit increased to $110, effective 1.1.80, and 66-2/3% of SAWW, effective 1.1.81.

Oregon: *90% of actual wages, if less.
**Employer may be sued for damages for failure to comply with posted notice of violation of safety code.

Pa.: *Actual wages if less, but no less than 33-1/3% of SAWW.

R.I.: *Maximum including allowance for dependents is $238.80.
**No compensation for PT disability if worker is earning pre-injury wages. Disability beyond 500 weeks or $32,500 is paid from Second Injury Fund.

Tenn.: *From date injury is determined to be permanent.

CHART V ☐ INCOME BENEFITS FOR TOTAL DISABILITY ☐ January 1, 1980 (continued)

JURISDICTION	PERCENT OF WAGES	MAXIMUM WEEKLY PAYMENT		MINIMUM WEEKLY PAYMENT		TIME LIMIT	AMOUNT LIMIT	AUTOMATIC COST OF LIVING INCREASE	OFFSETS[2]	NOTATIONS
		AMOUNT	RATE	AMOUNT	RATE					
TEXAS	66-2/3	$119.00		$23.00		401 weeks				Annual increase in maximum effective September 1.*
UTAH	66-2/3	TT—210.00 PT—179.00	TT—100% SAWW PT— 85% SAWW	45.00[1]		Disability*			Social Security	Annual increase in maximum effective July 1. Additional $5 if spouse, plus $5 per dependent child under 18 (up to 4); total benefit may not exceed maximum.*
VERMONT	66-2/3	192.00	100% SAWW	96.00[1]	50% SAWW[1]	TT—Disability PT—330 weeks*		July 1		Annual increase in maximum effective July 1. Additional $5 per dependent child under 21; total benefits not subject to maximum but may not exceed pre-injury wages.**
VIRGIN ISLANDS	66-2/3	110.00	(+)	60.00[1]		TT—Disability PT—Life		After 2 years on January 1		Total disability benefits begin after medical and vocational rehabilitation end. Compensation increased 15% for injury caused by employer's failure to obey safety order.*
VIRGINIA	66-2/3	199.00	100% SAWW	49.75[1]	25% SAWW[1]	TT—500 weeks PT—Disability	TT—93,500	October 1*		Annual increase in maximum effective July 1. Compensation increased 20% for failure to pay within 2 weeks after due.
WASHINGTON	60	186.87	75% SAWW	42.69*		Disability		July 1	Social Security under age 62	Benefits payable monthly. Annual increase in maximum effective July 1. Additional 5% of wages for spouse, plus 2% of wages per dependent child (up to 5), up to maximum.**
WEST VIRGINIA	70	237.00	100% SAWW	79.00	33-1/3% SAWW	TT—208 weeks PT—Life				Annual increase in maximum effective July 1.
WISCONSIN	66-2/3	218.00		30.00		TT—Disability PT—Life			Social Security	Compensation may be reduced 15% for worker's failure to use safety devices.
WYOMING	TT—66-2/3 PT—167.08	TT—250.62 PT—167.08	TT—100% SAWW PT—66-2/3% SAWW	TT— 43.38 PT—167.08	PT—66-2/3% SAWW	TT—Disability PT—Life	(+)			Benefits payable monthly. Quarterly increases in maximum effective January 1, April 1, July 1, and October 1. PT benefit fixed at 66-2/3% of SAMW plus lump sum per child calculated at $60 per month until age 18 (21 if invalid).
F.E.C.A.	66-2/3	722.78	75% of highest rate for GS-15	117.23[1]	75% of lowest rate for GS-2[1]	TT—Disability PT—Life		October 1		Benefits payable monthly. Increase in maximum and minimum effective October 7, 1979. Additional 8-1/3% of AWW payable if 1 or more dependent.
LONGSHORE ACT	66-2/3	426.26	200% NAWW	106.57[1]	50% NAWW[1]	Disability		PT—October 1		Annual increase in maximum effective October 1.
ALBERTA	75	262.50		TT—117.37[1] PT—117.37		TT—Disability PT—Life				PT payable monthly. Maximum annual earnings $18,250, effective 7.1.79. Employer must pay half of costs of the claim, to Accident Fund if injury caused by safety violation.*
BRITISH COLUMBIA	75	293.42		127.00[1]		TT—Disability PT—Life		January 1 and July 1	Pension	PT payable monthly. Maximum annual earnings $20,400. Annual increase in maximum effective January 1.*
MANITOBA	75	273.29		TT—92.05[1] PT—92.05		TT—Disability PT—Life			Pension	PT payable monthly. Maximum annual earnings $19,000. Annual increase in maximum effective January 1.*
NEW BRUNSWICK	75	216.34		TT— 90.00[1] PT—115.38		TT—Disability PT—Life				PT payable monthly. Maximum annual earnings $15,000, effective 1.1.79.*
NEWFOUNDLAND	75*	201.92		TT—69.23[1] PT—91.96**		TT—Disability PT—Life				PT payable monthly. Maximum annual earnings $14,000, effective 1.1.79. Board may raise compensation as it deems equitable.
NORTHWEST TERRITORIES	75	242.31		106.32[1]		TT—Disability PT—Life				Benefits payable monthly. Maximum annual earnings $16,800, effective 1.1.79.
NOVA SCOTIA	75	215.75		TT—76.40[1] PT—76.40*		TT—Disability PT—Life		PT—January 1		PT payable monthly. Maximum annual earnings $15,000, effective 1.1.80. Additional $10.38 weekly per child; total benefit may exceed maximum.
ONTARIO	75	266.83		TT—129.00[1] PT—129.00*		TT—Disability PT—Life		TT—after 12 months		PT payable monthly. Maximum annual earnings $18,500, effective 7.1.79.
PRINCE EDWARD ISLAND	75	173.08		60.00*		TT—Disability PT—Life				Maximum annual earnings $12,000, effective 1.1.77.
QUEBEC	90% of weighted net income	256.06 to 288.31*	150% of Quebec average industrial earnings			TT—Disability PT—Life		January 1		Maximum annual earnings $21,500. Annual increase in maximum effective January 1.**
SASKATCHEWAN	75	316.44		116.22*		TT—Disability PT—Life			Pension	PT payable monthly. Maximum annual earnings $22,000, effective 1.1.79. After 2 years disability, an amount equal to 10% of compensation is set aside to purchase annuity for benefits after age 65.**
YUKON TERRITORY	75	273.29		77.00[1]		TT—Disability PT—Life		January 1		Maximum annual earnings $19,000. Annual increase in maximum effective January 1.*
CANADIAN MERCHANT SEAMEN'S ACT	75	172.60		75.00		TT—Disability PT—Life				Benefits payable monthly. Maximum annual earnings $12,000. Gov.-in-Council may raise benefits to level paid in maritime provinces.

Texas: *Maximum increased $7 and minimum increased $1 per $10 increase in SAWW.

Utah: *Disability beyond 312 weeks is payable from Second Injury Fund; minimum $85 weekly.

Vt.: *From date disability is determined to be permanent.
**Benefits may be disallowed if injury results from worker's failure to use safety device.

V.I.: *During medical rehabilitation, income benefits are 66-2/3% of decrease in earning capacity. During vocational rehabilitation, income benefits are 75% of decrease for up to 40 weeks; maximum is 75% of V.I.—wide average weekly wages (minimum 33-1/3%). Annual increase in V.I.-wide AWW effective January 1.

Va.: *Recipient of Social Security ineligible for cost of living increases.

Wash.: *Plus $8.53 for first child; $7.15 for second child; $5.30 each for third through fifth children; and $6.92 for spouse.
**50% penalty payable to Accident Fund for employer's failure to maintain proper safeguards.

Wyo.: *Court must approve PT payments after $30,000.

Alta.: *Maximum reviewed annually by advisory committee.

B.C.: *On application for review. Board may award benefits based on current levels.

Man.: *Maximum earning ceiling increased by $1,000 if 10% of workers injured in preceding year earn in excess of maximum.

N.B.: *Board must review maximum at least biennially.

Nfld.: *100% of wages if injury incurred in mine or fire rescue.
**Actual wages if less, if dependent children; minimum is death award to spouse with same number of dependent children.

N.S.: *If 2 or more dependent children; minimum is amount of death benefit payable to spouse with same number of children.

Ont.: *No less than award if worker had been fatally injured.

Quebec: *Lower end of range is for individual with no dependents, and upper end is for individual with 9 dependents.
**Benefits adjusted annually based on increase in Consumer Price Index.

P.E.I.: *Actual wages if less, but Board may set minimum at $15.

Sask.: *Actual wages if less for first 2 years' disability.
**Maximum earning ceiling increased by $1,000 if 10% of workers injured in preceding year earn in excess of maximum.

Yukon: *Benefits increased annually based on Consumer Price Index, and based on 90% of territory's average wage, effective January 1.

CHART VI — INCOME BENEFITS FOR SCHEDULED INJURIES — January 1, 1980

JURISDICTION	ARM AT SHOULDER	HAND	THUMB	FIRST FINGER	SECOND FINGER	THIRD FINGER	FOURTH FINGER	LEG AT HIP	FOOT	GREAT TOE	OTHER TOES	ONE EYE	HEARING ONE EAR	HEARING BOTH EARS
IN THIS GROUP OF STATES, COMPENSATION FOR TEMPORARY DISABILITY IS ALLOWED IN ADDITION TO ALLOWANCE FOR SCHEDULED INJURY														
ALABAMA	$30,192	$23,120	$8,432	$ 5,848	$ 4,216	$ 2,992	$ 2,176	$27,200	$18,904	$ 4,352	$ 1,496	$16,864	$ 7,208	$22,168
ALASKA	43,680	33,600	10,400	6,440	4,200	3,500	2,100	40,320	28,700	5,320	2,240	22,400	7,280	28,000
AMERICAN SAMOA	PPD benefits paid at 66-2/3% of wages for specified number of weeks, no maximum.*													
ARIZONA	*41,250*	*34,375*	10,313	6,188	4,813	3,438	2,750	34,375	27,500	4,813	1,719	20,625	13,750	41,250
ARKANSAS[1,*]	25,200	18,900	7,560	4,410	3,780	2,520	1,890	22,050	15,750	3,780	1,260	12,600	5,040	18,900
COLORADO*	17,472	8,736	4,200	2,184	1,152	924	1,092	17,472	8,736	2,184	924	11,676	2,940	11,676
CONNECTICUT*	*81,432*	*65,772*	*24,795*	14,094	11,484	8,091	6,786	62,118	49,068	10,962	3,393	61,335	13,572	40,716
DELAWARE	41,178	36,236	12,353	8,236	6,588	4,941	3,294	41,178	26,354	6,588	2,471	32,942	12,353	28,824
DISTRICT OF COLUMBIA	132,993	104,007	31,970	19,608	12,788	10,657	6,394	122,763	87,383	12,788	6,820	68,202	22,166	85,252
FLORIDA	No schedule. Benefits paid according to degree of impairment and loss of earnings.*													
GEORGIA	24,750	17,600	6,600	4,400	3,850	3,300	2,750	24,750	14,850	3,300	2,200	13,750	6,600	16,500
GUAM	15,680	11,872	2,856	1,568	1,008	952	392	13,888	9,688	1,456	448	7,840	2,912	11,200
HAWAII*	67,080	52,460	16,125	9,890	6,450	5,375	3,225	61,920	44,075	8,170	3,440	*34,440*	11,180	43,000
IDAHO*	38,885	29,727	12,111	7,707	6,056	2,753	1,652	27,525	15,414	4,624	771	*19,268*	—	19,268
ILLINOIS*	105,957	67,106	24,723	14,128	12,362	8,830	7,064	97,127	54,744	12,362	4,238	56,510	17,660	70,638
IOWA*	81,000	61,560	19,440	11,340	9,720	8,100	6,480	71,280	48,600	12,960	4,860	45,360	16,200	56,700
KENTUCKY*	44,540	40,872	11,266	7,074	5,633	2,882	2,096	44,540	28,296	3,930	2,620**	19,650	10,218	20,436
MAINE	61,246	50,528	15,312	9,799	8,574	6,125	5,206	61,246	50,528	7,656	3,062	30,623	15,312	61,246
MARYLAND*	24,300	20,250	8,100	3,240	2,835	2,430	2,025	24,300	20,250	3,240	810	20,250	10,125	20,250
MASSACHUSETTS*	6,750	5,250	—	—	—	—	—	6,000	4,500	—	—	6,000	4,500	12,000
MICHIGAN*	53,800	43,000	13,000	7,600	6,600	4,400	3,200	43,000	32,400	6,600	2,200	32,400	—	—
MINNESOTA*	61,020	49,720	14,690	9,040	7,910	5,650	4,520	49,720	37,290	7,910	3,390	36,160	19,210	38,420
MISSISSIPPI	19,600	14,700	5,880	3,430	5,940	1,960	2,970	17,150	12,250	5,940	980	9,800	3,920	14,700
MONTANA*	27,720	19,800	7,425	3,960	3,663	2,475	1,485	29,700	17,820	3,663	1,584	16,335	3,960	19,800
NEBRASKA*	40,500	31,500	10,800	6,300	5,400	3,600	2,700	39,700	27,000	5,400	1,800	22,500	9,000	(-)
NEVADA	No schedule. Degree of disability determined in relation to whole man.*													
NEW HAMPSHIRE	41,730	34,125	9,750	6,045	5,070	3,705	2,535	41,730	29,445	5,070	1,950	24,570	10,140	41,730
NEW JERSEY*	57,915	35,354	4,583	3,055	2,444	1,833	1,222	55,283	29,302	2,444	917	*22,050*	2,820	17,200
NEW MEXICO[†]	*40,208*	*25,130*	11,057	5,629	4,423	3,418	2,815	*40,208*	23,120	7,036	2,815	*26,135*	8,042	30,156
NORTH CAROLINA	46,560	38,800	14,550	8,730	7,760	4,850	3,880	38,800	27,936	6,790	1,940	23,280	13,580	29,100
NORTH DAKOTA*	*10,000*	*10,000*	*3,750*	*2,500*	*2,000*	*1,500*	*1,300*	*9,360*	6,000	1,200	480	6,000	2,000	8,000
OHIO*	29,025	22,575	7,740	4,515	3,870	2,580	1,935	25,800	19,350	3,870	1,290	16,125	3,225	16,125
OREGON*	19,200	15,000	4,800	2,400	2,200	1,000	600	15,000	13,500	1,800	400	10,000	6,000	19,200
PUERTO RICO*	10,000	9,000	3,375	1,800	1,350	1,125	675	10,000	7,875	1,350	675	(**)	2,250	9,000
RHODE ISLAND	62,088	48,556	14,925	9,154	5,970	4,975	2,786	62,088	40,795	7,562	1,990	31,840	11,940	39,800
SOUTH CAROLINA	43,340	32,505	12,805	7,880	6,895	4,925	3,940	38,415	27,580	6,895	1,970	21,670	15,760	32,505
SOUTH DAKOTA	35,000	26,250	8,750	6,125	5,250	3,500	2,625	28,000	21,875	5,250	1,750	26,250	8,750	26,250
TENNESSEE	21,400	16,050	6,420	3,745	3,210	2,140	1,605	21,400	13,375	3,210	1,070	10,700	—	16,050
UTAH*	26,180	23,520	9,380	5,880	4,760	2,380	1,120	17,500	12,320	3,640	560	16,800	7,000	14,000
VIRGIN ISLANDS*	26,400	23,760	9,460	5,940	4,730	2,420	1,210	17,600	12,320	2,200	1,100**	11,000	—	17,160
WASHINGTON*	36,000	32,400	12,960	8,100	8,480	3,240	1,620	36,000	32,400	7,560	2,760	14,400	4,800	28,800
WEST VIRGINIA*	37,920	31,600	12,640	6,320	4,424	3,160	3,160	37,920	22,120	6,320	2,528	20,856	9,480	28,440
WISCONSIN	32,500	26,000	10,400	3,900	2,925	1,690	1,820	32,500	16,250	5,417	1,625	17,875	3,575	21,450
WYOMING	25,062	20,384	7,352	4,845	2,506	2,506	2,506	22,556	16,708	3,342	1,170	15,706	6,683	—
F.E.C.A.	225,507	176,358	54,209	33,248	21,683	18,070	10,842	208,161	148,170	27,466	11,564	115,645	37,585	144,556
LONGSHORE ACT	132,993	104,007	31,970	19,608	12,788	10,657	6,394	122,763	87,383	12,788	6,820	68,202	22,166	85,252
IN THIS GROUP OF STATES, COMPENSATION FOR TEMPORARY DISABILITY IS ALLOWED IN ADDITION TO SCHEDULED INJURY WITH CERTAIN LIMITATIONS AS TO PERIOD														
CALIFORNIA*	26,687	21,770	3,797	1,680	1,680	1,260	1,260	24,220	16,870	2,117	420	8,452	3,157	21,770
INDIANA*	18,750	15,000	4,500	3,000	2,625	2,250	1,500	16,875	13,125	4,500	2,250**	13,125	5,625	15,000
KANSAS*	31,080	22,200	8,880	5,476	4,440	2,960	2,220	29,600	18,500	4,440	1,480	17,760	4,440	16,280
MISSOURI*	20,880	15,750	5,400	4,050	3,150	3,150	1,980	18,630	13,500	3,600	1,260	12,600	3,960	15,120
NEW YORK*	32,760	25,620	7,875	4,830	3,150	2,625	1,575	30,240	21,525	3,990	1,680	16,800	6,300	15,750
OKLAHOMA*	20,000	16,000	4,800	2,800	2,400	1,600	1,200	20,000	16,000	2,400	800	16,000	8,000	24,000
PENNSYLVANIA[1,*]	99,220	81,070	24,200	12,100	9,680	7,260	6,776	99,220	60,500	9,680	3,872	66,550	14,520	62,920
VERMONT*	41,280	33,600	9,600	6,144	4,800	3,840	2,304	41,280	33,600	4,800	1,920	24,000	9,984*	41,280
VIRGINIA*	39,800	29,850	11,940	6,965	5,970	3,980	2,985	34,825	24,875	5,970	1,990	19,900	9,950	19,900
IN THIS GROUP OF STATES, COMPENSATION FOR TEMPORARY DISABILITY IS DEDUCTED FROM THE ALLOWANCE FOR SCHEDULED INJURY														
LOUISIANA	29,800	22,350	7,450	4,470	2,980	2,980	2,980	26,075	18,625	2,980	1,490	14,900	—	—
TEXAS	23,800	17,850	8,330	6,545	4,760	3,689	2,975	23,800	14,875	3,570	1,190	11,900	8,925	17,850

NOTE—In Canada permanent physical impairments generally are compensated by degree of disability using medical rating schedules as guidelines.
Numbers in italics are computations for loss of major member, loss of leg precluding use of artificial limb, or loss of eye by enucleation.

CHART VI □ INCOME BENEFITS FOR SCHEDULED INJURIES □ January 1, 1980 (continued)

[1]Additional weeks for healing period.

Am. Samoa: *Arm—312; hand—244; thumb—75; first finger—46; second finger—30; third finger—25; fourth finger—15; leg—288; foot—205; great toe—30; other toes—16; one eye—160; one ear—52; both ears—200.

Ark. *Computations effective 3.1.80. Maximum amount for PP is $56,700; also effective 3.1.80.

Calif. *Maximum for scheduled injuries is $70 weekly. For unscheduled disabilities, maximum is $61.43 weekly, payable for life.

Colo. *Compensation based on 66-2/3% of impairment of worker's earning capacity rather than average weekly wages; maximum weekly benefit is $84.

Conn. *Commission may award additional benefits based on loss of earnings.

Fla. *Permanent impairment caused by amputation, loss of 80% of vision after correction, or serious facial disfigurement—$50 per 1% of disability up to 50%, and $100 per 1% of disability over 50%. Wage-loss benefits also payable in all PP cases—95% of difference between 85% of pre-injury wages and earnings after maximum medical improvement, up to 100% of SAWW weekly, payable to age 65 subject to time limits (variable by schedule).

Hawaii: *In cases in which the disability is determined as a percentage of total loss or impairment of physical or mental function of the whole man, the maximum compensation is the corresponding percentage of 312 times SAWW (= $67,080 effective 1.1.80).

Idaho: *Maximum weekly PP benefit is 55% of SAWW.

Ill. *Effective January 15.

Ind. *Payable for 52 weeks; maximum weekly PP benefit is $75.
**Second toe—$2,250; third toe—$1,500; fourth toe—$1,125; fifth toe—$750.

Iowa: *Maximum weekly PP benefit is 153-1/3% of SAWW, effective 7.1.81, and 184% of SAWW, effective 7.1.81.

Kans. *Additional healing period up to 15 weeks may be allowed. Maximum weekly PP benefit is 72% of SAWW (75% of SAWW effective 7.1.80).

Ky. *In addition, wage-loss benefits may be granted if ability or opportunity to work is affected.
**Second toe—$2,620; third toe—$1,965; fourth toe—$1,048; fifth toe—$655.

Md. *Maximum weekly PP benefit is 33-1/3% of SAWW, where benefits are payable for 250 weeks or more; the number of weeks are increased by 1/3, and maximum is 66-2/3% of SAWW.

Mass. *Proportional benefits for functional loss of use of arm, hand, leg, or foot.

Mich. *Includes allowance for dependents (maximum $29 weekly). Wage-loss benefits payable for life.

Minn. *Award increased by 15% if more than 1 member permanently disabled. Compensation for PP and TT paid concurrently.

Mo. *Maximum weekly PP benefit is $90. If amputation or 100% loss of use, additional 10% compensation. Maximum healing period is 40 weeks.

Mont. *Maximum weekly PP benefit is 50% of SAWW (= $99, effective 7.1.79). Claimant may elect schedule or wage-loss indemnity.

Nebr. *Terms run consecutively for loss of, or loss of use of, more than 1 member but less than total disability.
**Permanent total loss of hearing is compensated as permanent total disability.

Nev. *Each 1% of impairment is compensated by 1.2% of worker's monthly wage up to maximum (= $992.31 as of 7.1.79), payable for 5 years or until age 65, whichever is later.

N.J. *Computations include allowance for amputation of member (30% additional compensation). Compensation is payable weekly at 70% of pre-injury weekly wages, up to a maximum of 55% of SAWW for arm or leg; 45% of SAWW for hand; 40% of SAWW for foot or one eye; 35% of SAWW for hearing—both ears; $47 for other scheduled injuries in chart. Effective 1.1.82, 20% of SAWW replaces the $47 maximum.

N.Y. *Additional weeks for TT in excess of statutory healing period; maximum $95 weekly. Compensation for wage-loss in addition to schedule if impairment due to loss of 50% or more of member.

N.D. *PP benefit is $40 weekly for scheduled number of weeks.

Ohio: *Maximum weekly PP benefit is 50% of SAWW. Compensation payable for 200 weeks if percentage of disability is 90% or greater.

Okla. *Maximum PP benefit is $80 weekly, effective 1.1.80; $90 effective 1.1.81; and 50% of SAWW, effective 1.1.82.

Oregon: *Calculated at $85 per degree of injury.

Pa. *Special provision for concurrent injuries.

P.R. *Maximum PP benefit is $45 weekly.
**Permanent visual disability is compensated according to percentage of total disability; in addition, loss of eye by enucleation is compensated at 10% of permanent total disability.

Utah: *Maximum per week, including allowance for dependents, is 66-2/3% of SAWW (= $140 effective 7.1.79).

Vt. *In addition to TT except as to loss of hearing in 1 ear.

V.I. *PP benefit is 55% of wages.
**Second toe—$1,100; other toes—$550.

Va. *After expiration of scheduled award, claimant may file for further benefits within 1 year if still incapacitated.

Wash. *25% less for disability not involving amputation.

W.Va. *PP benefit is 70% of wages, payable in 4-week periods per 1% of disability up to 85% per week is maximum 66-2/3% of SAWW (= $158 effective 7.1.79).

Wis. *In addition to TT. Computation based on worker age 52 or younger; compensation is reduced 2-1/2% for each year over 52.

Wyo. *Maximum PP benefit is 66-2/3% of SAWW.

CHART VII FATALITIES—INCOME BENEFITS FOR SPOUSE AND CHILDREN January 1, 1980

JURISDICTION	MAXIMUM WEEKLY PAYMENT: PERCENT OF WAGES: SPOUSE PLUS CHILDREN	PERCENT OF WAGES: SPOUSE ONLY	PERCENT OF WAGES: ONE CHILD ONLY	MAXIMUM WEEKLY PAYMENT: SPOUSE PLUS CHILDREN	MAXIMUM WEEKLY PAYMENT: SPOUSE ONLY	MINIMUM PER WEEK SPOUSE ONLY	TIME LIMIT	AMOUNT LIMIT[1]: SPOUSE PLUS CHILDREN	AMOUNT LIMIT[1]: SPOUSE ONLY	MAXIMUM BURIAL ALLOWANCE
ALABAMA	66-2/3	50	50	$136.00*	$102.00*	$51.00*	[2,5]	$68,000	$51,000	$1,000
ALASKA	66-2/3	66-2/3	66-2/3	650.00*	650.00*	45.00	[2,4,**]			1,000
AMERICAN SAMOA	66-2/3	35		70.00	36.75	5.25[8]	[2,4]			1,000
ARIZONA	66-2/3	35		192.30	100.96	16.15	[2,4]			1,000
ARKANSAS[9]	66-2/3	35	0	126.00*	126.00*	15.00	[2,4]	[--]*	[--]	750
CALIFORNIA[9]	[--]	[--]	[--]	154.00	154.00	[--]	[2]	55,000	50,000	1,500
COLORADO	66-2/3	66-2/3	66-2/3	222.73*	222.73*	55.68*	[2,4,**]			1,000
CONNECTICUT	66-2/3	66-2/3	66-2/3	261.00*	261.00*	20.00	[2,3,**]			1,500
DELAWARE	80	66-2/3	66-2/3	197.66*	164.71*	54.90*	[2,4]			700**
DISTRICT OF COLUMBIA	66-2/3	50	50	[--]	[--]	142.09*	[2,4]			1,000
FLORIDA	66-2/3	50	33-1/3	211.00*	211.00*	20.00[8]	[2,3]	50,000	50,000	1,000
GEORGIA	66-2/3	66-2/3	66-2/3	110.00	110.00	25.00[8]	400 weeks[2,3]	44,000	32,500	1,000
GUAM	66-2/3	35	35	50.00	29.40	29.40	[2,4]			600
HAWAII	66-2/3	50	40	215.00*	161.00*	54.00*	[2,4]	[--]	[--]	1,500***
IDAHO[9]				121.70*	90.90*	90.90*	500 weeks[2]	60,600	45,450	1,500*
ILLINOIS	66-2/3	66-2/3	66-2/3	353.19*	353.19*	132.45*	20 years[2,4,**]	250,000	250,000	1,750
INDIANA	66-2/3	66-2/3	66-2/3	130.00*	130.00*	50.00[8]	500 weeks[2,4]	65,000*	65,000*	1,500
IOWA	80% of spendable earnings	80% of spendable earnings	80% of spendable earnings	352.00*	352.00*	[--]	[2,4]			1,000
KANSAS	66-2/3	66-2/3	66-2/3	148.00*	148.00*	25.00	[2,6]	100,000	100,000	2,000
KENTUCKY	75	50	50	131.00*	109.00*	44.00*	[2,4]			1,500*
LOUISIANA	65	32-1/2	32-1/2	149.00*	149.00*	44.00*	[2,4]			1,500
MAINE[10]	66-2/3	66-2/3	66-2/3	306.23*	306.23*	25.00	[2,4]			1,000
MARYLAND	66-2/3	66-2/3	66-2/3	241.00*	241.00*	25.00[8]	[2,4]			1,200**
MASSACHUSETTS				[--]	110.00*	110.00*	[2,4,**]	[--]	[--]	2,000
MICHIGAN[9]	66-2/3	66-2/3	66-2/3	194.00*	171.00	134.00	500 weeks[2,5,**]	97,000	85,500	1,500
MINNESOTA	66-2/3	50	55	226.00*	226.00*		[2,4,**]			1,000
MISSISSIPPI[9,10]	66-2/3	35	25	98.00	98.00	25.00	450 weeks[2]	44,100	44,100	1,000
MISSOURI[9]	66-2/3	66-2/3	66-2/3	120.00	120.00	16.00	[2,4,*]			2,000
MONTANA	66-2/3	66-2/3	66-2/3	198.00*	198.00*	99.00*	[2,4]			1,100
NEBRASKA	75	66-2/3	66-2/3	180.00	180.00	49.00[8]	[2,4]			1,000
NEVADA	66-2/3	66-2/3	66-2/3	229.17*	229.17*		[2,4]			2,500*
NEW HAMPSHIRE	66-2/3*	66-2/3*	66-2/3*	195.00**	195.00**	30.00*	[2,***]			1,200
NEW JERSEY	70	50	50	185.00*	185.00*	49.00*	[2,3,**]			2,000
NEW MEXICO	66-2/3	66-2/3	66-2/3	201.04*	201.04*	36.00	600 weeks[2,4]	120,624	120,624	1,500
NEW YORK	66-2/3	66-2/3	66-2/3	215.00	215.00	30.00	[2,4,*]			1,250

[1]Amount limits have been computed where not stipulated by law and are shown in italics. Disability payments deducted in all laws, except those of Arizona, Arkansas, California, Delaware, District of Columbia, Florida, Michigan, Mississippi, Missouri, Nevada, New York, North Dakota, Oregon, Washington, West Virginia, Wisconsin, Wyoming, F.E.C.A. and Longshore Act.

[2]To child until age 18 (16 in Manitoba, Newfoundland, Northwest Territories, Ontario, Saskatchewan, and Yukon; 19 in Alaska and Wyoming; 21 in Michigan and—if in school—New Brunswick). If invalid, for duration of invalidity (for 15 years in Wisconsin, for period decedent would have supported child in Alberta, Newfoundland, Prince Edward Island, and Yukon). If student, to age 21 in Colorado, British Columbia, New Brunswick, Nova Scotia, Newfoundland, Prince Edward Island, Saskatchewan, and C.M.S.C.A.; 22 in Florida, Kentucky, Missouri, Nevada, South Dakota, Tennessee, and Virgin Islands; 23 in D.C., Kansas, Louisiana, Maine, Maryland, New Mexico, New York, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Virginia, Washington, F.E.C.A., and Longshore Act; 25 in America Samoa, Arkansas, Delaware, Hawaii, Illinois, Iowa, Minnesota, Montana, Nebraska, New Hampshire, Ohio, Puerto Rico, Texas, West Virginia, and Alberta; no age limit in Alaska (4 years only), Massachusetts, Vermont, Manitoba, Northwest Territories, Ontario, and Quebec.

[3]To spouse for life; compensation ceases on remarriage.

[4]To spouse for life; 2 years' lump sum upon remarriage (but only if no children in Colorado, Illinois, Indiana, and Iowa) or balance of compensation if less (Indiana, New Mexico, South Carolina, and Saskatchewan).

[5]To spouse for life; 1 year's lump sum upon remarriage.

[6]To spouse for life; cash lump sum on remarriage: Alabama—500 weeks or balance if less; Kansas—100 weeks or balance if less; Michigan—$500 or balance if less; Oregon—$5,000; Washington—$7,500; Alberta—$6,120; Manitoba—$3,600; Nova Scotia—$1,835; Prince Edward Island—$1,200; Yukon—$4,481.

[7]Additional allowance for transportation of body; no maximum except: Virginia—$300; Alberta—$700; British Columbia—$338.69 and $338.69 for incidental death expenses; Newfoundland—$175; Nova Scotia—$300; Prince Edward Island—$100; Yukon—$181; C.M.S.C.A.—$125.

[8]Actual wage if less.

[9]Widower must prove actual dependence.

[10]Spouse receives cash lump sum in addition to other benefits: Maine—$1,000; Mississippi—$250; North Dakota—$300 plus $100 per child; Oklahoma—$10,000 plus $2,500 per dependent (maximum $15,000); Washington—$800; Alberta—$600; British Columbia—$846.74; Manitoba—$1,050; New Brunswick—$500; Newfoundland—$730; Northwest Territories—$672; Nova Scotia—$1,000; Ontario—$1,000; Prince Edward Island—$500; Quebec—$500; Saskatchewan—$500; Yukon—$895; C.M.S.C.A.—$500.

[11]If no dependents.

Alab. *Maximum is 66-2/3% of SAWW for spouse and children; 50% of SAWW for spouse only. Minimum is 25% of SAWW, actual wage if less.

Alaska *Maximum is 166-2/3% of SAWW (200% effective 1.1.81).
**Spousal benefit reduced by 1/3 as of 5 years after worker's death, by 1/2 as of 8 years, and ceases after 10 years; reductions do not apply if spouse is over 52 or permanently and totally disabled. Limited Social Security offset.

Ark. *Maximum death benefit is $112 from 3.1.79 to 3.1.80; $126 effective 3.1.80.
**Benefits in excess of $50,000 payable from Death and Permanent Disability Bank Fund.

Calif. *Statutory benefit is 66-2/3% of wages, but Appeals Board has authority to award benefits up to the maximum regardless of wage.

Colo. *Maximum is 80% of SAWW, minimum is 25% of maximum.
**Limited Social Security offset.

Conn. *Maximum is 100% of SAWW.
**After 780 weeks, child's benefit is reduced to $5 weekly.

Del. *Maximum is 80% of SAWW for spouse and children; 66-2/3% of SAWW for spouse only. Minimum for spouse only is 1/3% of maximum for spouse only.
**Additional burial allowance payable on Board approval.

D.C. *No maximum for death benefits. *Director of OWCP v. Rasmussen*, 440 U.S. 29 (1979). Minimum is 66-2/3% of NAWW, actual wage if less.

Fla. *Maximum is 100% of SAWW.

Hawaii *Maximum is 100% of SAWW for spouse and children; 75% of SAWW for spouse only. Minimum is 25% of SAWW.
**Maximum amount for persons other than spouse and children is the maximum benefit times 312.
***Includes $500 for cemetery.

Idaho *Death benefit is fixed at 45% of SAWW for spouse plus 5% of SAWW per dependent child up to 3; 30% of SAWW for one child if no dependent spouse.

Ill. *Maximum is 133-1/3% of SAWW, minimum is 50% of SAWW.
**Child under 18 is entitled to at least 6 years' benefits.

Ind. *Effective 7.1.79, maximum is $130, and amount limit is $65,000; effective 7.1.80, maximum is $140 and amount limit is $70,000.

Iowa *Maximum is 166-2/3% of SAWW, increased to 200% of SAWW, effective 7.1.81.
**Minimum weekly wage is 35% of SAWW (= $74); benefits determined by worker's tax status.

Kans. *Maximum is 72% of SAWW, increased to 75% of SAWW, effective 7.1.80.

Ky. *Maximum is 100% of SAWW for spouse and children; 50% of SAWW for spouse only. Minimum is 20% of SAWW.

La. *Maximum is 66-2/3% of SAWW. Minimum is 20% of SAWW, actual wage if less.

Maine *Maximum is 166-2/3% of SAWW, increased to 200% of SAWW, effective 7.1.81.

Md. *Maximum is 100% of SAWW.
**Additional burial allowance payable on Commission approval.

Mass. *Death benefit is fixed at $110 weekly for spouse, plus $6 per child.
**After 400 weeks or $32,000, spouse must prove actual dependence; time and amount limits do not apply to children's benefits.

Mich. *Maximum benefit includes $5 for second dependent and $6 each for third and fourth dependents.
**500-week limit does not apply to children.

Minn. *Maximum is 100% of SAWW.
**Social Security offset.

Mo. *4 years' benefits payable to child on active duty in armed forces at age 18 who enrolls in school prior to age 23.

Mont. *Maximum is 100% of SAWW, minimum is 50% of SAWW, actual wage if less.

Nev. *Maximum is 100% of SAWW.

N.H. *If wage is less than $30, benefit is actual wage; if wage $30-$35, benefit is $30; if wage $35-$40, benefit is $32; benefit increases in $3 increments per $5 increase in wage, up to $135; if wage $135-138, benefit is $92; if wage is over $138, benefit is 66-2/3% of wage up to maximum.
**Maximum is 100% of SAWW.
***After 400 weeks, spousal benefits cease unless spouse is permanently and totally disabled. Spousal benefits are payable for 400 weeks and thereafter while a child is eligible for benefits (no time limit if spouse is totally disabled). On remarriage, the unpaid balance otherwise payable for dependent children is payable to parent or guardian for the children's benefit.

N.J. *Maximum is 75% of SAWW, minimum is 20% of SAWW.
**After 450 weeks, spouse's earnings are deducted.

N.M. *Maximum is 100% of SAWW.

N.Y. *Social Security offset.

CHART VII ☐ FATALITIES—INCOME BENEFITS FOR SPOUSE AND CHILDREN ☐ January 1, 1980 (continued)

JURISDICTION	PERCENT OF WAGES			MAXIMUM WEEKLY PAYMENT		MINIMUM PER WEEK SPOUSE ONLY	TIME LIMIT	AMOUNT LIMIT[1]		MAXIMUM BURIAL ALLOWANCE
	SPOUSE PLUS CHILDREN	SPOUSE ONLY	ONE CHILD ONLY	SPOUSE PLUS CHILDREN	SPOUSE ONLY			SPOUSE PLUS CHILDREN	SPOUSE ONLY	
NORTH CAROLINA	66-2/3	66-2/3	66-2/3	$194.00*	$194.00*	$20.00	(2,3,**)			$ 500
NORTH DAKOTA[10]	66-2/3	66-2/3	66-2/3	90.00	90.00	10.00	(2,4)			1,000
OHIO[9]	66-2/3	66-2/3	66-2/3	258.00*	258.00*	129.00*	(2,4)			1,200
OKLAHOMA[10]	75	50	35	110.00*	110.00*	30.00[8]	(2,4)			1,000[11]
OREGON				242.63*	121.31*	121.31*	(2,6,**)			1,000
PENNSYLVANIA	66-2/3	51	32	242.00*	242.00*	141.00*	(2,4)			1,500
PUERTO RICO	85	50	60	28.85*	23.08*	11.54*	(2,4,**)			300[11]
RHODE ISLAND[9]	80	66-2/3	66-2/3	238.80*	199.00*	30.00	(2,3)			1,800
SOUTH CAROLINA	66-2/3	66-2/3	66-2/3	197.00*	197.00*	25.00	500 weeks[2,4]	98,500	98,500	400
SOUTH DAKOTA	66-2/3	66-2/3	66-2/3	(-)	175.00*	88.00*	(2,4)			2,000[7]
TENNESSEE	66-2/3	50	50	107.00	107.00	15.00	(2,3)	42,800	42,800	1,250
TEXAS	66-2/3	66-2/3	66-2/3	119.00	119.00	23.00	(2,4)			1,250
UTAH	66-2/3*	66-2/3	66-2/3	179.00*	179.00*	45.00[6]	(2,**)			1,000
VERMONT	76-2/3	66-2/3	71-2/3	192.00*	192.00*	96.00*	(2,**)			1,000
VIRGIN ISLANDS				(-)	(-)	(-)	(2)	12,500*	12,500*	500[11]
VIRGINIA	66-2/3	66-2/3	66-2/3	199.00*	199.00*	49.75*	500 weeks[2,**]	99,500	99,500	1,000[7]
WASHINGTON[10]	70	60	35	186.87*	186.87*	42.69	(2,6,**)			1,000
WEST VIRGINIA	66-2/3	66-2/3	66-2/3	237.00*	237.00*	79.00*	(2,3)			1,500
WISCONSIN	66-2/3	66-2/3	66-2/3	218.00	218.00	30.00	(-)	65,400**	65,400**	1,000
WYOMING				(-)	167.08*	167.08*	(-)	(-)	(-)	1,100**
F.E.C.A.	75*	50	40	722.78	722.78	78.15	(2,4,**)			800[7,***]
LONGSHORE ACT	66-2/3	50	50	(-)	(-)	142.09*	(2,4)			1,000
ALBERTA[10]	75	75		262.50*	262.50*	117.37*	(2,6)			600[7]
BRITISH COLUMBIA[10]			30	(-)	(-)	(-)	(2,4)			1,116[7]
MANITOBA[10]	75	75		273.29*	273.29*	92.05*	(2,6)			300[7,**]
NEW BRUNSWICK[10]				(-)	69.04*	69.04*	(2,5)			600[7]
NEWFOUNDLAND[10]				(-)	69.04*	69.04*	(2,5)			600[7]
NORTHWEST TERRITORIES[10]				(-)	106.32*	106.32*	(2,5)			672[7]
NOVA SCOTIA[10]	(-)	(-)		(-)	76.40*	76.40*	(2,6)			750[7]
ONTARIO[10]				(-)	94.62*	94.62*	(2,4)			1,000[7]
PRINCE EDWARD ISLAND[10]	(-)	(-)		(-)	57.53*	57.53*	(2,6)			500[7]
QUEBEC[10]	72	49-1/2 (weighted net income)	49-1/2	230.65*	140.83*	140.83*	(2,3,**)			600[7]
SASKATCHEWAN[10]	75	75		316.44	316.44	116.22	5 years[2,4]			1,000[7]
YUKON TERRITORY[10]				(-)	81.93	81.93	(2,6)			1,024[7]
CANADIAN MERCHANT SEAMEN'S ACT[10]				172.60*	57.53*	57.53[8]	(2,4)			450[7]

N.C. *Maximum is 100% of SAWW.
**After 400 weeks, spouse must be dependent or disabled.

Ohio *Maximum is 100% of SAWW, minimum is 50% of SAWW.

Okla. *Maximum is $110, effective 1.1.80, increased to 66-2/3% of SAWW, effective 1.1.81.

Oregon *Monthly spousal benefit is fixed at 50% of SAWW times 4.35 (= $525.70 for 1979-80), an additional $100 each is payable monthly for the first and second children, plus $50 monthly per additional child, up to monthly maximum. Maximum is 100% of SAWW times 4.35 (= $1,051.40 for 1979-80).
**Child's benefit payable to age 19 if in high school.

Pa. *Maximum is 100% of SAWW, minimum is 50% of SAWW.

P.R. *Maximum for spouse and children is $125 monthly, for spouse only, $100 monthly. Minimum is $50 monthly. Maximum advance payment is $500 to widow plus $50 per child, up to $1,100 total.
**540 week limit inapplicable to spouse and children.

R.I. *Maximum is 100% of SAWW plus $6 per dependent child, up to 80% of pre-injury wages (= $238.80).

S.C. *Maximum is 100% of SAWW.

S.D. *Maximum is 100% of SAWW, minimum is 50% of SAWW, actual wage if less. Additional $50 monthly is payable for each dependent child.

Utah *Additional allowance for dependents is $5 for spouse plus $5 for dependent child (up to 4). Maximum (including dependents' allowance) is 85% of SAWW.
**After 312 weeks payments are continued from Second Injury Fund, minimum $65. Balance of 312 weeks is payable to spouse upon remarriage. Social Security is offset.

Vt. *Maximum is 100% of SAWW, minimum is 50% of SAWW, actual wage if less.
**To spouse until age 62 or when entitled to Social Security, balance of 330 weeks, if any, is payable on remarriage. Maximum 320 weeks payable to or for any child.

V.I. *Death benefit is $10,000, payable in installments or lump sum. 60% is payable to children, if any. Amount limit is $12,500 including amounts paid for disability.

Va. *Maximum is 100% of SAWW, minimum is 25% of SAWW, actual wage if less.
**Social Security offset.

Wash. *Maximum monthly benefit is 75% of state average monthly wage.
**Social Security offset.

W. Va. *Maximum is 100% of SAWW, minimum is 33-1/3% of SAWW.

Wis. *If death follows disability, total time limit for disability plus death is 1,000 weeks for worker age 52 or younger at time of injury. The time limit decreases 25 weeks per year of age over 52 (minimum 500 weeks).
**Amount limit is 300 times 1978 SAWW. When primary benefit expires, a supplementary monthly benefit continues for children at 10% of the spouse's monthly benefit, payable from the Children's Fund, to age 18 or for 15 years if invalid.

Wyo. *Monthly benefit is fixed at 66-2/3% of state average monthly wage plus lump sum computed at $60 monthly per child until age 19 (21 if invalid). After $25,000, court may continue payments at 33-1/3% of state average monthly wage. $500 of balance of $25,000 payable to spouse on remarriage, remainder payable to children. PT benefits in excess of $4,000 are deducted.
**Employer may make other arrangements.

F.E.C.A. *3 or more children.
**Spouse who remarries after age 60 continues to receive monthly benefits.
***Additional $200 lump sum payable for cost of terminating status as U.S. employee.

Longshore *No maximum for death benefits. *Director of OWCP v. Rasmussen*, 440 U.S. 29 (1979). Minimum is 66-2/3 of NAWW, actual wages if less.

Alta. *Maximum is $1,140.63 monthly, minimum is $510 monthly. Board may increase monthly benefit while spouse is ill.

B.C. *Maximum monthly benefit for spouse with 2 children is $1,275, plus $110.05 for each additional child. Childless widow under 40 receives capital sum of $16,934.33. Benefits for childless widow age 40 or older vary by age. Canada pension is offset.

Man. *Maximum is $1,187.50 monthly, minimum is $400 monthly. Allowance for 1 dependent is additional $90 monthly if under 16 or $100 monthly if over 16 and in school; allowance for 2 or more dependents is amount payable for 2 oldest children; total monthly benefit may not exceed maximum.
**Plus $50 for plot or urn.

N.B. *Fixed monthly benefit is $300 plus $75 monthly per child.

Nfld. *Fixed monthly benefit is $300 plus $60 monthly per child. Board may pay additional $10 monthly per child on account of illness.

N.W.T. *Fixed monthly benefit is $462 plus $105 monthly per child.

N.S. *Fixed monthly benefit is $332 plus $70 monthly per child. If decedent was corporate officer and shareholder, the benefit is 75% of maximum annual earnings of $15,000, payable monthly (= $215.75 weekly).

Ont. *Fixed monthly benefit is $410 plus $112 monthly per child.

P.E.I. *Fixed monthly benefit is $250 plus $50 monthly per child. If decedent was corporate officer and shareholder, benefit is 75% of maximum earnings of $12,000.

Quebec *Maximum is 80% of maximum PT disability benefit.
**Benefits stop after 5 years if spouse was under 35. Five years' benefits are payable to any spouse regardless of marital status.

Yukon *Fixed monthly benefit is $356 plus $116 monthly per child.

C.M.S.C.A. *Fixed monthly benefit is $250 for spouse only, actual weekly wage if less. Monthly benefit for spouse and children is $250 plus $55 per child, up to $750 monthly.

CHART VIII WAITING PERIOD FOR INCOME BENEFITS; MEDICAL BENEFITS January 1, 1980

JURISDICTION	WAITING PERIOD [1]	RETRO-ACTIVE PERIOD	MEDICAL BENEFITS					
			LIMITATIONS BY STATUTE[2]		EXTENSIONS PERMITTED		ARTIFICIAL APPLIANCES FURNISHED	SPECIAL PROVISIONS
			TIME	AMOUNT	TIME	AMOUNT		
ALABAMA	3 days*	3 weeks					Yes	Employer must replace appliances damaged in work-related accident and provide physical and vocational rehabilitation.
ALASKA	3 days	4 weeks	as nature of injury may require				Yes	Injury includes damages to eyeglasses, dentures, hearing aids, or any prosthetic devices.
AMERICAN SAMOA	3 days	2 weeks					Yes	
ARIZONA	7 days	2 weeks					Yes	Commission may authorize medical care in excess of $20,000 from Major Medical Insurance Fund. Prayer or spiritual treatment by agreement.
ARKANSAS	7 days	2 weeks					Yes	Spiritual treatment by agreement.
CALIFORNIA	3 days*	3 weeks*					Yes	Includes x-ray reports, medical reports, and testimony and laboratory fees reasonably required to prove a claim.**
COLORADO	3 days	2 weeks					Yes	Commission may authorize medical care in excess of $20,000 from Major Medical Insurance Fund. Dental service—maximum $500.
CONNECTICUT	3 days	1 week					Yes*	Worker compensated for time lost due to medical attention. Employer must repair or replace appliances damaged in employment; must also repair or replace eyeglasses, contact lenses, hearing aids, or dentures where injury to face or head. Prayer or spiritual treatment with Commissioner's approval.
DELAWARE	3 days*	7 days*					Yes	Employer must replace prosthesis as needed.
DISTRICT OF COLUMBIA	3 days	2 weeks					Yes	
FLORIDA	7 days	2 weeks					Yes	Injury includes damage to dentures, eyeglasses, and prosthetic devices in conjunction with accident.
GEORGIA	7 days	4 weeks		$5,000	As needed	As needed	Yes*	
GUAM	7 days*	49 days*						
HAWAII	2 days	5 days					Yes	Maximum monthly attendant's allowance—4 times SAWW.
IDAHO	5 days*	2 weeks*					Yes	Christian Science treatment permitted.
ILLINOIS	3 days*	2 weeks					Yes	Spiritual treatment by agreement. Employer must repair replace appliances damaged in compensable accident.
INDIANA	7 days	3 weeks					Yes	Employer pays reasonable expenses, including travel, food, and lodging, for treatment outside county. Spiritual treatment by agreement.
IOWA	3 days*	2 weeks					Yes	Employer must repair or replace appliances.
KANSAS	7 days	3 weeks					Yes	Prayer or spiritual treatment by agreement.
KENTUCKY	7 days	2 weeks					Yes	
LOUISIANA	7 days	6 weeks					Yes	Employer must repair replace appliances.
MAINE	3 days*	2 weeks					Yes	$1,000 maximum for silicosis. Employer must repair replace appliances.
MARYLAND	3 days	2 weeks					Yes	Employer must repair replace appliances.
MASSACHUSETTS	5 days	6 days					Yes	
MICHIGAN	7 days	2 weeks					Yes	
MINNESOTA	3 days	10 days					Yes	Employer may elect not to be subject to these provisions. Christian Science treatment by agreement.
MISSISSIPPI	5 days	2 weeks					Yes	
MISSOURI	3 days	4 weeks					Yes	Employer must repair replace appliances damaged in a work-related accident.
MONTANA	5 days*	5 days*					Yes	Employer must repair replace appliances damaged as a result of injury.
NEBRASKA	7 days	6 weeks					Yes	Employer must replace appliances damaged due to compensable injury. Employer must provide plastic surgery for disfigurement.
NEVADA	5 days	5 days					Yes	
NEW HAMPSHIRE	3 days	1 week					Yes	
NEW JERSEY	7 days	8 days					Yes	Hospital care must be semi-private, if available.
NEW MEXICO	7 days	4 weeks					Yes	
NEW YORK	7 days	2 weeks					Yes	
NORTH CAROLINA	7 days	4 weeks					Yes	Employer must repair replace appliances damaged in compensable accident. Medical care includes rehabilitation services.
NORTH DAKOTA	5 days	5 days					Yes	
OHIO	7 days	2 weeks					Yes	Includes hospitalization. Employer must repair replace appliances.
OKLAHOMA	3 days	3 days					Yes	Employer must repair replace appliances. Special provisions for hernias.
OREGON	3 days	2 weeks					Yes	Spiritual treatment by agreement.

[1] If disability continues for longer than stated periods, compensation is paid for the waiting period. Waiting periods do not apply to medical care, which is furnished from the first day of injury.

[2] No entry indicates no statutory limitation.

Alab. *Temporary disability only.

Calif. *Waiting period also terminated by hospitalization.
**Psychologists included within definition of physician and treatment permitted.

Conn. *By court decision. *Olmstead v. Lamphier*, 93 Conn. 20, 104 A. 488 (1918).

Del. *No waiting period if incapacity results in hospitalization or is caused by amputation of member.

Ga. *Included in total amount allowed for medical care.

Guam *Compensation payable from first day if fact of disability is certified by physician.

Idaho *Waiting period also terminated by hospitalization.

Ill. *Temporary total disability only.

Iowa *No waiting period for permanent partial disability.

Maine *Firemen are exempt from waiting period and receive compensation from date of disability.

Mont. *Waiting period refers to number of days on which worker has a loss of wages.

CHART VIII ☐ WAITING PERIOD FOR INCOME BENEFITS; MEDICAL BENEFITS ☐ January 1, 1980 (continued)

JURISDICTION	WAITING PERIOD [1]	RETRO-ACTIVE PERIOD	MEDICAL BENEFITS					
			LIMITATIONS BY STATUTE[2]		EXTENSIONS PERMITTED		ARTIFICIAL APPLIANCES FURNISHED	SPECIAL PROVISIONS
			TIME	AMOUNT	TIME	AMOUNT		
PENNSYLVANIA	7 days	2 weeks					Yes	
PUERTO RICO	3 days	10 days					Yes	
RHODE ISLAND	3 days	2 weeks					Yes	
SOUTH CAROLINA	7 days	2 weeks					Yes	
SOUTH DAKOTA	7 days	8 days					Yes	Employer must repair replace appliances damaged in compensable accident
TENNESSEE	7 days	2 weeks					Yes	Provides for nursing services
TEXAS	7 days	4 weeks					Yes	Repair or replacement of appliances when determined by physician
UTAH	3 days	2 weeks					Yes	$1,200 limit for each artificial appliance, except unusual cases
VERMONT	3 days*	4 days					Yes	Injury includes damage to and cost of replacement of eyeglasses, hearing aids, and prosthetic devices
VIRGIN ISLANDS	1 day	1 day		$10,000			Yes	$16,000 amount limit if treatment outside Virgin Islands
VIRGINIA	7 days	3 weeks					Yes	Employer must repair replace appliances damaged in compensable accident
WASHINGTON	3 days	2 weeks					Yes	Employees pay half of medical aid premiums. Employer must replace repair appliances damaged in compensable accident
WEST VIRGINIA	3 days	1 week					Yes	Employer must repair replace appliances regardless of personal injury
WISCONSIN	3 days	1 week					Yes	Repair or replacement of appliances is limited to normal wear and tear
WYOMING	3 days	8 days					Yes	Maximum amount for prosthesis or hearing aid—$1,500 plus $350 for travel for fitting; amount in excess may be granted upon application
F.E.C.A.	3 days	3 weeks					Yes	Additional $500 monthly for medical attendant
LONGSHORE ACT	3 days	2 weeks					Yes	
ALBERTA	1 day	1 day					Yes	Appliances repaired or replaced by Board. Board may repair or replace garment damaged in compensable accident. Clothing allowance for wear due to prosthetic—$150. Board may pay allowance for home nursing care
BRITISH COLUMBIA	1 day						Yes	Appliances repaired or replaced at Board's discretion, regardless of personal injury (includes eyeglasses, dentures, and hearing aids unless worker is at fault). Board may provide eyeglasses for serious visual impairment caused by work injury. Personal care allowance—maximum $698.60 monthly. Annual clothing allowance for wear due to prosthesis—$85.15 for upper limb; $170.28 for lower limb; $255.43 for both
MANITOBA	1 day	1 day					Yes	Clothing allowance for wear due to prosthetic device. Employer must repair or replace appliances damaged in accident causing personal injury. Prosthesis must be repaired or replaced regardless of personal injury
NEW BRUNSWICK	1 day	1 day					Yes	Medical aid includes repair or replacement of appliances and a clothing allowance for wear due to prosthesis
NEWFOUNDLAND	1 day	1 day					Yes	Board may repair or replace appliances, and may pay daily allowance for treatment away from home. Clothing allowance for wear due to prosthetic device—$250
NORTHWEST TERRITORIES	1 day	1 day					Yes	Clothing allowance for wear due to prosthetic device—$100. Board may repair replace appliances damaged in a compensable accident
NOVA SCOTIA	3 days*	3 days					Yes	Attendant's allowance—$200 monthly. Clothing allowance for wear due to prosthetic device—$200 per year. Board may repair or replace appliances and renew eyeglasses (replaced if damaged in any accident)
ONTARIO	1 day	1**					Yes	Maximum attendant's allowance—$595 monthly. Clothing allowance for wear due to prosthetic device.**
PRINCE EDWARD ISLAND	1 day	1 day					Yes	Appliances repaired or replaced at Board's discretion
QUEBEC	1 day	1 day					Yes	Commission may repair replace prosthesis damaged in course of employment. Additional clothing allowance for wear due to prosthetic device—$240 for lower limb; $120 for upper limb
SASKATCHEWAN	1 day	1 day					Yes	Clothing allowance for wear due to prosthetic device—$50 for arm; $110 for leg. Employer must repair replace appliances damaged in compensable accident
YUKON TERRITORY	1 day	1 day					Yes	
CANADIAN MERCHANT SEAMEN'S ACT	3 days	3 days					Yes	Employer must keep appliances in repair or replace, at Board's discretion

Vt. *Total disability only.

N.S. *No waiting period for permanent partial disability.

Ont. *Compensation not paid for the day on which the accident occurs.

**Compensation payable during disability caused by damage to prosthetic device.

CHART IX REHABILITATION OF DISABLED WORKERS January 1, 1980

JURISDICTION	SOURCE OF FUND	MAINTENANCE ALLOWANCE	SPECIAL PROVISIONS
ALABAMA	No fund established	Board, lodging, and travel, if away from home	Physical and vocational rehabilitation to restore employee to gainful employment furnished at employer's expense. Employee's refusal results in loss of compensation.
ALASKA	From portion of Second Injury Fund over $10,000, by 8% tax on compensation paid by employers or insurers for permanent partial disability plus $10,000 for no-dependency death, except in any year that fund contains $400,000 or more; plus civil penalties	$100 per month during retraining plus tuition and transportation	Limit per person (including maintenance allowance) $5,000. If no longer entitled to compensation for temporary disability, may receive maintenance allowance from fund plus an amount equal to half of temporary total disability benefits from employer or insurer.
AMERICAN SAMOA	Second Injury Fund	$10 weekly paid by employer plus maintenance from Special Fund	Commission arranges for vocational rehabilitation of permanently disabled workers.
ARIZONA	$1,150 in no-dependency death cases. Appropriations annually from general fund up to 2% of annual premium	Commission may authorize additional necessary awards to persons undergoing vocational rehabilitation	Vocational rehabilitation trainees considered an employee at $200 monthly wage rate for compensation benefits.
ARKANSAS	No fund established	Reasonable expenses for maintenance, travel, and other necessary costs for 60 weeks maximum	Must apply to Commission within 60 days. Commission may authorize vocational rehabilitation if reasonable in relation to disability, but worker may refuse.
CALIFORNIA	No fund established	All additional necessary living expenses during rehabilitation	Rehabilitation unit shall be established in Division of Industrial Accidents. Rehabilitation program is compulsory on part of employer or carrier. Rehabilitation trainee is considered employee of training employer for insurance purposes.
COLORADO	Premium tax of 1.25% on insurers and self-insurers for Major Medical Insurance Fund	Maintenance, tuition, and transportation during 26 weeks	Period of time may be extended if necessary. Employee cannot receive disability benefits and maintenance simultaneously.
CONNECTICUT	2% tax upon compensation paid by insurers and self-insurers	Additional compensation of $40 per week during rehabilitation paid by employer	Rehabilitation is continued until employee reaches maximum improvement in opinion of Commissioner. Rehabilitation Division established within Commission.
DELAWARE	No fund established	Reasonable board, lodging, and travel	State Board of Rehabilitation may provide vocational rehabilitation, training services, and money payments for living requirements. Employee's refusal results in loss of compensation.
DISTRICT OF COLUMBIA	50% of Special Fund (see Chart XII—Second Injury Funds—Special Provisions)	Not exceeding $25 per week	Surplus in fund in any one year may be carried over. Appropriations authorized.
FLORIDA	Payments from Special Fund and assessments upon insurers and self-insurers	Reasonable board, lodging, and travel	Injured worker is entitled to prompt rehabilitation including retraining, provided by or at the expense of the employer. Rehabilitation may be up to 26 weeks extendable for an additional 26 weeks. Refusal to accept rehabilitation deemed necessary by deputy commissioner results in automatic 50% reduction in compensation for each week of refusal.
GEORGIA	No fund established	Board, lodging, and travel, if away from home	Vocational rehabilitation furnished for 52 weeks but may be extended if necessary. Employee's unreasonable refusal may result in suspension of compensation.
GUAM	$1,000 in no-dependency death cases; penalties and fines levied under Act	$10 per week during retraining	Commission directs the vocational rehabilitation of permanently disabled employees and arranges with the appropriate public or private agencies for such education.
HAWAII	Payments from Second Injury Fund	$35 per week, $5,000 maximum	Federal or state funds used first, then Second Injury Fund.
IDAHO	No fund established	Reasonable expenses for maintenance and travel	Vocational and physical rehabilitation for 52 weeks, may be extended additional 52 weeks. Disability benefits payable during retraining. Rehabilitation Division administers.
ILLINOIS	No fund established	Maintenance costs and incidental expenses	Physical, mental, and vocational rehabilitation as may be necessary. Institutional care, if required.
INDIANA	No fund established	No specific statutory provision*	
IOWA	No fund established	$20 weekly in addition to other compensation for 13 weeks	May be extended additional 13 weeks. Medical care includes physical rehabilitation.
KANSAS	No fund established	$2,000 for 26 weeks plus $1,000, if needed, for maintenance and travel	Physical and vocational rehabilitation furnished by employer for 26 weeks, may be extended additional 26 weeks. Employee's unreasonable refusal may result in suspension of compensation. Rehabilitation Section of Division administers.
KENTUCKY	No fund established	Board, lodging, and travel, if away from home	Prompt medical rehabilitation, vocational rehabilitation, including retraining and job placement up to 26 weeks. Board may extend after hearing. Employee's refusal results in loss of 50% of compensation.
LOUISIANA	No fund established	No specific statutory provision	
MAINE	No fund established	$35 per week for 52 weeks	Commission member may extend vocational or educational rehabilitation benefits for additional 52 weeks or for a 3rd period of 52 weeks.*
MARYLAND	No fund established	Up to $40 weekly paid by employer	Workmen's Compensation Commission investigates all claims and reports of injury or disability for referral to Division of Vocational Rehabilitation. Employee entitled to 24 months of vocational rehabilitation. Employee's unreasonable refusal results in loss of compensation. Employer pays compensation for temporary total disability plus expenses of vocational rehabilitation.
MASSACHUSETTS	No fund established. Paid the same as compensation.	Rehabilitation Commission may approve room, board, and travel expenses	Necessary cost of rehabilitation subject to approval of Rehabilitation Commission.
MICHIGAN	No fund established	Transportation and other necessary expenses during 52 weeks training	Medical and vocational rehabilitation services under Workers' Compensation Bureau may extend training period additional 52 weeks, maximum total 104 weeks.*
MINNESOTA	No fund established		Employer must provide vocational rehabilitation consultation from approved list of consultants. Worker whose employability can be improved must accept or face suspension or reduction of benefits. During retraining, worker receives benefits equal to pre-injury take home pay. Employer must provide up to 156 weeks of benefits at a rate equal to 125% of TT rate, in lieu of TT, TD, or TP benefits. Employer must remodel disabled employee's residence to enable him to move freely, maximum cost of $30,000.
MISSISSIPPI	No fund established	Up to $10 per week up to 52 weeks	Commission cooperates with federal and state agencies. A rehabilitation unit created in 1977 expired on 6-30-79.
MISSOURI	Payments for Second Injury Fund	$40 weekly where physical rehabilitation necessary for as long as authorized	Administered by Director of Workmen's Compensation Division.
MONTANA	Rehabilitation Fund by 1% tax upon compensation paid by insurers, self-insured, and state fund	Additional $50 weekly for living expenses while in training plus transportation, tuition, books, and equipment	Administered by Workers' Compensation Division in conjunction with Department of Social and Rehabilitation Services. Employee's refusal may result in loss of compensation.
NEBRASKA	Vocational Rehabilitation Fund by 1% premium tax on insurers and self-insurers	Board, lodging, and travel in addition to compensation	Insurer must furnish medical, physical, and vocational rehabilitation services voluntarily (if not, may be ordered to do so). Costs may be apportioned between the employer and the Vocational Rehabilitation Fund.
NEVADA	State Insurance Fund	Rehabilitation Commission may allow maintenance as needed	Commission authorized to provide all necessary rehabilitation services. Employee's refusal results in loss of all benefits.
NEW HAMPSHIRE	No fund established	Board, lodging, travel, books, and basic materials in addition to compensation	Insurer must furnish rehabilitation services voluntarily, or may be ordered to do so, for one year and further treatment if needed. Vocational and physical rehabilitation staff assist in program.
NEW JERSEY	No fund established		Permanent total disability benefits may be stopped after 450 weeks unless the worker has submitted to physical or educational retraining.

Ind. *State Rehabilitation Services Board administers vocational rehabilitation programs. Compensation suspended for refusal of suitable employment by partially disabled claimant.

Maine *Parties may agree to 3-month trial work period during which compensation is suspended. Compensation resumed if unsuccessful.

Mich. *Handicapped persons undergoing rehabilitation at nonprofit work activities centers or sheltered workshops may receive compensation less than that provided for total disability (§418.351(1)) but not less than 25% of that amount or 100% of actual earnings, whichever is less.

CHART IX ☐ REHABILITATION OF DISABLED WORKERS ☐ January 1, 1980 (continued)

JURISDICTION	SOURCE OF FUND	MAINTENANCE ALLOWANCE	SPECIAL PROVISIONS
NEW MEXICO	No fund established	Board, lodging, travel, and maintenance for worker's family, $1,000 maximum in addition to other compensation	Employer must furnish vocational rehabilitation services to render worker fit to engage in remunerative employment
NEW YORK	$2,000 in no-dependency death cases	Not more than $30 per week for rehabilitation maintenance	Department of Labor cooperates with Department of Education
NORTH CAROLINA	No fund established		Insurer must furnish rehabilitation services required to lessen disability. Employee's unreasonable refusal of services ordered by Commission results in loss of compensation
NORTH DAKOTA	Reserve set aside out of statutory surplus fund	Rehabilitation allowance in lieu of and equal to compensation, plus 25%	Bureau through its Director of Rehabilitation provides retraining. Employee's unreasonable refusal to cooperate shall forfeit compensation. Additional allowance of $5,000 maximum during lifetime, for remodeling living or business facilities, if required
OHIO	$100,000 transferred semi-annually from surplus of State Fund to rehabilitation account	Up to $84 per week up to 52 weeks	Course of instructions must be undertaken within 60 days from date sufficiently recovered or as soon thereafter as State Board shall provide opportunity
OKLAHOMA	No fund established	Board, lodging, travel, tuition, and books	Court may order necessary rehabilitation up to 52 weeks
OREGON	Rehabilitation reserve out of Administrative Fund		Board may provide vocational rehabilitation—as much as necessary. May also operate and control a physical rehabilitation center. Employee receives temporary disability compensation while undergoing rehabilitation. Board shall reimburse employer for temporary disability benefits paid after injury is medically stationary.*
PENNSYLVANIA	No fund established	Rehabilitation Board may provide cash payments for living expenses	State Board of Rehabilitation may provide vocational rehabilitation, training, and services
PUERTO RICO	No fund established	Administrator may grant $45 weekly for 26 weeks maximum	Rehabilitation center provides physical, medical, and rehabilitation services
RHODE ISLAND	$750 in no-dependency death cases; 1% of insurance premium		Rehabilitation clinic established to make available to injured workers all possible modern curative treatment. This clinic is financed by the Curative Centre Fund
SOUTH CAROLINA	No fund established	No specific statutory provision	
SOUTH DAKOTA	State Fund to $15,000	Provided by Rehabilitation Division	State Board of Education authorized to cooperate with federal board of rehabilitation. Employee paid compensation while undergoing rehabilitation
TENNESSEE	No fund established		Division of Workmen's Compensation refers feasible cases to Department of Education pursuant to plan providing full or partial recovery of expenses from employer or insurer
TEXAS	No fund established		Insurer furnishes necessary medical care and services for physical rehabilitation. Board may refer employee to Vocational Rehabilitation Division
UTAH	$15,600 in no-dependency death cases	$1,000 maximum during rehabilitation of permanently and totally disabled person	If cannot be rehabilitated, worker receives $89 per week for life after maximum benefit for permanent total disablement
VERMONT	No fund established	Board, lodging, travel, books, and tools	Commissioner may order vocational rehabilitation services. If employee refuses, compensation may be suspended. Rehabilitation services furnished for one year but may be extended in unusual cases
VIRGIN ISLANDS	Government Insurance Fund	Board, lodging, and travel	Income benefits during rehabilitation suspended for employee's refusal to accept vocational rehabilitation. See Chart V—Total Disability Benefits
VIRGINIA	Second Injury Fund		Commission may award compensation, medical care, and vocational rehabilitation. Employee's unreasonable refusal may suspend compensation
WASHINGTON	No fund established	Compensation plus board and lodging away from home for 52 weeks	Supervisor may extend period for another 52 weeks. Department operates a Rehabilitation Center and pays for books, supplies, tuition, and transportation, $1,500 maximum per year. Compensation may be denied if worker refuses rehabilitation without good cause
WEST VIRGINIA	State Fund used, no special account	$10,000 per case, plus temporary total payments if totally disabled	Commission may authorize vocational training and furnish crutches, artificial limbs and other mechanical appliances, medical and hospital treatments
WISCONSIN	No fund established	Up to $176 per week up to 40 weeks, plus traveling expense and maintenance	Course of instructions must be undertaken with 60 days from date sufficiently recovered or as soon thereafter as State Board provides opportunity. 40-week period may be extended if necessary. Department employs rehabilitation specialists (physical, medical, and vocational) to evaluate and refer injured employee for treatment
WYOMING	No fund established	Up to $10 per week (may be increased to $15 per week if insufficient) up to 72 weeks	District judge grants maintenance allowance on recommendations of Board of Education
F.E.C.A.	Employees' Compensation Fund	Up to $100 per month	If person fails to undergo rehabilitation, administrator may reduce benefit if rehabilitation would have increased earnings
LONGSHORE ACT	50% of Special Fund (See Chart XII—Second Injury Funds—Special Provisions)	Up to $25 per week	Surplus in Fund in any one year may be carried over. Appropriations authorized
ALBERTA	Accident Fund	Discretion of Board	Board operates physical rehabilitation center. Board may make necessary expenditures to aid vocational rehabilitation
BRITISH COLUMBIA	Accident Fund	Discretion of Board	Rehabilitation Clinic established. Board may make necessary expenditures to aid rehabilitation and may provide vocational rehabilitation to a dependent spouse
MANITOBA	Accident Fund	Discretion of Board	Board may make necessary expenditures to aid rehabilitation
NEW BRUNSWICK	Accident Fund	Discretion of Board	Board may make necessary expenditures to aid rehabilitation
NEWFOUNDLAND	Accident Fund	Discretion of Board	Total expenditures not to exceed $75,000 in any year
NORTHWEST TERRITORIES	Accident Fund	Board and lodging—$22.50 daily for first 7 days, $20 daily thereafter. Employer pays transportation cost	Board may order rehabilitation and retraining
NOVA SCOTIA	Accident Fund	Discretion of Board	Board may make necessary expenditures to aid rehabilitation
ONTARIO	Schedule 1 cases—Accident Fund Schedule 2 cases—employers individually	Discretion of Board Discretion of Board	No limit on amount in any one case or in any year for rehabilitation
PRINCE EDWARD ISLAND	Accident Fund	Discretion of Board	Board may make necessary expenditures to aid rehabilitation
QUEBEC	Schedule 1 cases—Accident Fund Schedule 2 cases—employers individually	Discretion of Board Discretion of Board	
SASKATCHEWAN	Injury Fund	Discretion of Board	Board provides on-the-job training, employer assistance, and physical and occupational therapy. Vocational training is also available for spouse
YUKON TERRITORY	Compensation Fund	Subsistence in Commissioner's discretion	Commissioner may make necessary expenditures to aid rehabilitation
CANADIAN MERCHANT SEAMEN'S ACT	No fund established	No specific statutory provision	

Oregon *Field services division assists injured workers return to work as soon as condition permits

PART 3
ADMINISTRATION

Since workers' compensation grew out of a public dissatisfaction with the manner in which job-related disabilities were handled, it is not surprising that the system was designed with an eye toward prompt and effective disposition of disability cases. Without an effective delivery system, much of the problems associated with the common law and employer liability statutes would remain.

This requirement for an effective delivery system remains valid today. Indeed the National Commission on State Workmen's Compensation Laws, in listing this as a major objective for a modern workers' compensation system, made special note that the achievement of the system's objectives for protecting against workplace disabilities was dependent upon an effective system for delivery of the benefits and services. This observation was reaffirmed by a second federal report on workers' compensation delivery in 1977 (**see Special Report in 1977 edition**) which emphasized the importance of efficient program administration.

As originally envisioned, the system would be self-administering. Over time, the complexities of the system proved too much for a laissez-faire approach, and states moved to take a more affirmative role in the administration of their laws.

Generally, the states have moved either to administer their laws through their court system, a special commission or board, or a combination of both. In Canada, administrative activities are carried out by a board. The principal areas of administration include—

- Supervision of compliance with statutory requirements for employers, employees, carriers, and medical and legal personnel.
- Investigation and decision on disputed claims and the supervision of medical and vocational rehabilitation.
- Management of second injury funds, special assessment requirements.
- Collection of data and evaluation of program performance.

ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS: CHART X

Workers' compensation laws generally are administered by commissions or boards created by law. A few states provide for court administration.

Chart X shows statutory provisions relating to administration. These include (1) time limits in which employers must be advised of injury, (2) time in which claims must be filed, (3) claims settlement conditions, and (4) regulation of attorney fees.

EMPLOYER'S REPORT OF ACCIDENTS: CHART XI

All employers are interested in requirements legally imposed on them to report injuries, and the penalty—if any—imposed for failure to report. In many jurisdictions, except for preliminary reports, the insured's company relieves an employer of this burden. Provisions for employers' reports of accidents are summarized in Chart XI.

SECOND-INJURY FUNDS: CHART XII

Second-injury funds (or like arrangements) were developed to meet problems arising when a pre-existing injury combines with a second to produce disability greater than that caused by the latter alone. The funds (1) encourage hiring of the physically handicapped and (2) more equitably allocate costs of providing benefits to such employees. Second-injury employers pay compensation related primarily to the disability caused by the second injury alone—even though the employee receives a benefit relating to his combined disability; the difference is made up from a second-injury fund.

Where no special second-injury fund is provided by law, an employer in whose employ a second injury is sustained usually is liable for compensation due for the total resulting disability. Because of the potential increased cost of compensation benefits, an employer thus may be influenced to refuse employment to handicapped persons. It is for this reason that second-injury funds are advocated.

Most compensation laws now limit employer liability in second-injury cases to payment for the disability resulting from the second injury considered by itself—as shown in Chart XII. The chart indicates the nature of the injury covered, portion payable by the employer and by the fund, and the sources of the fund.

ADMINISTRATION EXPENSES: CHART XIII

Chart XIII refers to (1) how costs of administration are met; (2) nature of assessments, if any; and (3) type of insurance provided for—whether private or state or both.

APPEAL PROVISIONS: CHART XIV

Appeal provisions—including designation of the court of appeal and nature of the procedures—are summarized in Chart XIV. Most Canadian jurisdictions use the inquiry system and do not provide for judicial appeals.

DIRECTORY: CHART XV

The names and addresses of the administrators, boards, and commissioners for all jurisdictions reported upon by the *Analysis* are furnished.

CHART X ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS January 1, 1980

JURISDICTION	ADMINISTRATION	NOTICE TO EMPLOYER	CLAIM FILING	HOW CLAIMS ARE SETTLED	AWARD EFFECT	REVIEW BY AGENCY	MODIFICATIONS	ATTORNEY'S FEES
ALABAMA	Courts	In writing within 5 days; excusable up to 90 days	Within 1 year after accident, last payment, or removal of incapacity	By agreement, which must conform substantially to terms of act unless court approves lesser sum. Disputed cases settled by courts	Lien when registered with probate judge		Award for more than 6 months at any time by agreement of parties with court approval	Fixed by Circuit Court judge up to 15% of award
ALASKA	Workmen's Compensation Board	In writing to Board and employer within 30 days; excusable	Within 2 years after knowledge of disability. Within one year after death or 2 years after last payment	By Board	Lien; recording required in 1 year. Interest and penalties accrue	By Board	Within 1 year after last payment of compensation or after rejection of claim	Fixed by Board
AMERICAN SAMOA	Workmen's Compensation Commission	In writing within 30 days; excusable	Disability—within 1 year after injury or last payment. Death—within 1 year after death or claimant should know relation to employment	Compensation payable without award except in disputed cases. Disputed cases settled by Commission	Award is effective upon filing; enforceable by High Court		By Commissioner on application or own motion within 1 year after last payment or rejection of claim	Subject to approval of Commissioner or High Court. Court may assess costs against party that proceeds without reasonable grounds
ARIZONA	Industrial Commission	Forthwith; excusable	Within 1 year after injury or accrual of right. Claim not barred if compensation has commenced	By Commission	Lien upon filing	By hearing officer within 30 days	By hearing officer on application	Commission may regulate; maximum 25% of award
ARKANSAS	Workmen's Compensation Commission	Within 60 days; excusable	Within 2 years after injury or death	Compensation is payable without award except in contested claims. Disputed claims heard by Commission member, or administrative law judge, upon application	Preference rights of unpaid wage claims	By Commission from decision of member of administrative law judge within 30 days	By Commission with 6 months of end of compensation period except in joint settlements *	Sliding scale subject to approval by Commission; fees awarded in addition to compensation. Maximum $100 on appeal to full Commission; $250 on appeal to Court
CALIFORNIA	Division of Industrial Accidents handles administration; Appeals Board handles judicial functions	In writing within 30 days; excusable	Disability—within 1 year from date of injury or last payment. Death—within 1 year after death to 240 weeks after injury	By agreement on approval of Appeals Board which may order hearing. Disputed cases settled by Appeals Board on application	Judgment on filing in Superior Court	By Appeals Board from referee's findings	Reconsideration within 20 days; no modification after 5 years	Reasonable fee fixed by Appeals Board. If Court finds no reasonable basis for appeal, Appeals Board may award fees as supplementary award
COLORADO	Director, Department of Labor	Within 2 days; excusable (claimant loses one day's compensation for each day's delay)	Within 3 years after injury or death. Does not apply if compensation paid or if reasonable excuse in 5 years	By agreement reported to Commission. Disputed claims settled by Commission or referee	Judgment on filing copy of award against uninsured employer in District Court	By Commission from referee's decision	By Commission within 6 years from date of accident or 2 years after last payment (whichever is later)	Upon request, director may approve reasonableness of fee; 25% in contested case, more in difficult case on appeal
CONNECTICUT	Workers' Compensation Commissioners (one for each of 7 districts plus one at large)	Forthwith; excusable	Within 1 year after accident or first symptom of disease. If death results within 2 years after accident or disease—within 2 years from accident or disease, or within 1 year from death (whichever is later) *	By agreement, on approval of Commission. Disputed cases settled by Commission	Judgment on filing in Superior Court. Award has preference rights of unpaid wages	By Compensation Review Division within 20 days **	By Commissioner during compensation period	Subject to approval of Board
DELAWARE	Industrial Accident Board	If notice not given in 90 days no compensation due until notice or knowledge of injury	Within 2 years after injury, death, or 5 years from last payment	By agreement, on approval of Board. Disputed cases settled by Board after hearing	Preference rights of unpaid claims		By Board at any time, but no more often than once each 6 months	30% of award or $[illegible]250, whichever is less. Reasonable fee on appeals
DISTRICT OF COLUMBIA	Division of Longshore and Harbor Workers' Compensation; O.W.C.P., U.S. Department of Labor	In writing within 30 days; excusable by Deputy Commissioner	Within 1 year after accident or last payment	By Deputy Commissioner or hearing examiner	Award is effective upon filing	By deputy commissioner on application or own motion, and by Benefits Review Board on appeal	By Deputy Commissioner and upon filing with court	Approval by Deputy Commissioner, Benefit Review Board or court where services given
FLORIDA	Division of Workers' Compensation	In writing within 30 days; excusable	Within 2 years after injury, death, or last payment	By agreement, but Division may investigate. Upon application Division must order hearing conducted by deputy commissioner	May be filed in proper court; execution or other process in Circuit Court		By deputy commissioner on application or own motion within 2 years after last payment or claim rejection	Subject to approval of Division, deputy commissioner, or court; claimant pays own fee
GEORGIA	Board of Workers' Compensation	Within 30 days; excusable	Within 1 year after injury, death, or medical care, or within 2 years after last payment	Compensation is payable without award except in contested claims. Disputed claims settled by Board, Director, or administrative law judge	Judgment in Superior Court on certified copy of award *	By Board on application within 30 days	By Board on application or own motion within 2 years after final payment. Final settlement may not be modified	Fees in excess of $100 subject to Board approval. Board may assess attorney's fees against any party who proceeds without reasonable grounds or fails to provide income benefits as required
GUAM	Director of Labor and Personnel	In writing within 30 days; excusable	Within 1 year after injury, death, or last payment	Compensation is payable without award within 14 days after knowledge of injury or death. Controverted claims are settled by the Commission	Lien against assets of carrier or employer. Enforcement of final order by Island Court		By Commissioner within 1 year after last payment or rejection of claim, on own motion or application	Subject to approval of Commissioner or Court on review. Costs assessed against party who proceeds without reasonable grounds
HAWAII	Director of Labor and Industrial Relations	Forthwith; excusable	2 years after date on which effects of injury become manifest, but within 5 years after date of accident causing injury	Agreements must be prepared by Director in accord with law. If not agreed, Director makes award	Judgment on filing in Circuit Court	By Appellate Board within 20 days	By Director on own motion or on application of any party within 20 days	Subject to approval of Director
IDAHO	Industrial Commission	In writing within 60 days after accident; excusable	Within 1 year after accident or death	By agreement, subject to approval of Commission. Disputed cases settled by Commission or member	Judgment in District Court on filing certified copy of award	By Commission from member's decision within 20 days	By Commission within 5 years of accident, but no more often than once in 6 months	Subject to approval of Commission
ILLINOIS	Industrial Commission	Within 45 days. For radiological injury, within 90 days after employee knows or suspects that he has received an excessive dose of radiation	Barred after 3 years from injury or death, or 2 years after last payment, whichever is later. Radiation—within 15 years after last exposure for injury, within 1 year after death *	By agreement, subject to approval of Commission, after 7 days from injury. Disputed cases settled by arbitrator or arbitration committee	Judgment in Circuit Court on filing certified copy of award	By Commission from decision of arbitrator or arbitration committee within 15 days	By Commission within 30 months of agreement or award	Fixed by Commission. Unreasonable or vexatious delay by employer or carrier in payment of compensation may be penalized by payment of attorney's fees

Ark. *A "joint settlement" is authorized where all parties petition an immediate final settlement by the Commission. In such cases, an order of the Commission is final except as to appeals to the courts, but an order of the Commission allowing or denying such petition is not appealable.

Conn. *Lack of notice excused if voluntary agreement, or medical treatment within 1 year after accident.
**The 8 Commissioners comprise the Review Division.

Ga. *7 percent interest on all accrued amounts of awards. Interest runs on Superior Court judgment in event of appeal.

Ill. *Death from radiation must occur within 2 years from last payment, or within 15 years after last exposure if no compensation paid.

CHART X ☐ ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS ☐ January 1, 1980 (continued)

JURISDICTION	ADMINISTRATION	NOTICE TO EMPLOYER	CLAIM FILING	HOW CLAIMS ARE SETTLED	AWARD EFFECT	REVIEW BY AGENCY	MODIFICATIONS	ATTORNEY'S FEES
INDIANA	Industrial Board	In writing as soon as practicable; excusable. Compensation accrues from date of notice if given after 30 days	Within 2 years after injury or death. Radiation—2 years after worker knows should know relation to employment	By agreement, after 7 days from injury or at any time after death, subject to approval of Board. Disputed cases settled by Board or member on application	Judgment in Circuit or Superior Court on certified copy of agreement or award. Preference rights of unpaid wages	By full Board within 20 days after award	By Board on application or own motion, within 2 years after last day for which compensation is paid	Subject to approval of Board. Paid out of award unless bad faith by employer or lack of diligence, in which case minimum fee is $150
IOWA	Industrial Commissioner	Within 15 days; excusable up to 90 days	Within 2 years after injury	By agreement, or through arbitration by Commissioner. Commissioner may compromise and settle doubtful claims on behalf of the state	Judgment in District Court on filing certified copy of agreement or decision	By Commissioner from decision of Deputy Commissioner within 20 days	By Commissioner within 3 years from last payment, award, or noncommuted settlement	Subject to Commissioner's approval
KANSAS	Division of Workers Compensation	Within 10 days; excusable	Claim must be served on employer within 200 days after accident or last payment, or within 1 year after death for death within 5 years after accident. Application for hearing must be filed with Division within 3 years after accident or within 2 years after last payment, whichever is later.*	By agreement, subject to approval of Director. Disputed cases settled by an examiner after hearing, subject to an appeal to the Director	Judgment in district court on filing certified copy of award	By Director at any time before final payment, on application	By Director, before final payment and within 1 year of prior approval, on application	Maximum 25% of recovery in matters before Director or district court, subject to approval of Director pursuant to written contract which must be filed
KENTUCKY	Workmen's Compensation Board	In writing as soon as practicable; excusable	Within 2 years after accident or death. If paid voluntarily—claim submitted to employer within 1 year after suspension, or 2 years after accident, whichever is later; application filed with Board within 2 years after payment stops. Limits tolled during minority or incapacity	By agreement, subject to approval of Board. Disputed cases settled by full Board	Judgment in Circuit Court on filing certified copy of award or approved agreement	By Board within 14 days	By Board at any time, on application or own motion	Subject to Board's approval. Maximum $6,500, except $750 maximum in uncontested occupational disease case
LOUISIANA	Courts	In writing within 6 months (12 if employer fails to post requirements); excusable	Within 1 year after accident, death, or last payment; 2 years for delayed development of injury; 3 years from last payment in cases of partial disability	By agreement, subject to approval of court. Disputed cases settled by the courts	Settlement approved by court entered as judgment		By court after 6 months or any time by agreement	Subject to court approval; maximum limit 20 percent of award on first $5,000 and 10 percent of any additional amount
MAINE	Workers' Compensation Commission	Within 30 days after injury; within 3 months after death; excusable	Within 2 years after accident or last payment, or within 1 year after death. If mistake of fact, within a reasonable time, but no more than 10 years after last payment in any case	By agreement, subject to approval of Commissioner of Labor. Disputed cases determined by Commissioner after hearing	Judgment on filing certificate with county clerk	By single commissioner*	On application; approved lump sum is final	Commission may assess against employer if services were necessary
MARYLAND	Workmen's Compensation Commission	Within 10 days after injury (30 days for hernia); within 30 days after death; excusable	Within 60 days after disability begins; excusable to 2 years. Within 18 months after death. Not barred for 3 years if treated by physician acting for employer.*	By agreement, subject to approval of Commission. Disputed cases settled by Commission or arbitration committee; hearing required on application		By Commission from arbitration committee on application	From final award, on application or own motion within 5 years	Subject to approval of Commission
MASSACHUSETTS	Division of Industrial Accidents, under supervision of Industrial Accidents Board	In writing as soon as practicable; excusable	Within one year after injury or death; excusable	By agreement, subject to approval of Division. Disputed cases settled by member of Division after preliminary conference prior to hearing	Decree in Superior Court on certified copy of agreement or decision	By reviewing Board from decision of member	On application at any time; limited in death cases	Subject to approval of Division
MICHIGAN	Bureau of Workers Disability Compensation	In writing within 3 months; excusable. For occupational disease, within 120 days after disablement	Within 6 months after injury, 12 months after death, or 3 months after disability develops, but in no case later than 3 years after injury	Compensation payable without award except in contested cases. Disputed cases settled by administrative law judge	Judgment in Circuit Court on filing certified copy of award	By Appeal Board within 15 days from decision of administrative law judge		Subject to approval of Bureau based on administrative rules and schedules
MINNESOTA	Commissioner, Department of Labor and Industry as head of Workers' Compensation Division	In writing within 14 days; excusable up to 180 days (later if mental or physical incapacity)	Within 3 years after employer's report; no more than 6 years from date of injury.*	By agreement, subject to approval of Commissioner. Disputed cases settled by Commission, Commissioner, referee, or compensation judge	Judgment in District Court on filing certified copy of award	By Commission within 30 days from decision of commissioner or referee	On application at any time after award, before judgment, on 5 days' notice	Sliding scale, subject to approval of Deputy Commissioner, compensation judge, or Commission**
MISSISSIPPI	Workmen's Compensation Commission	Within 30 days; excusable	Within 2 years after injury or death	Compensation is payable without award except in contested claims. Disputed claims heard by Commission member or referee on application	Lien against assets and has preference rights of unpaid wages	By Commission from decision of administrative judge within 20 days	By Commission on application or own motion with in 1 year from last payment or claim rejection	Subject to approval of Commission or court
MISSOURI	Industrial Commission through Division of Workmen's Compensation	In writing within 30 days unless employer has actual knowledge. Division notifies worker of rights	Within 1 year after injury, death, or last payment. Division may grant additional 2 years if claimant lacks knowledge of disability	By agreement, after 7 days from injury or death, subject to approval of administrative law judge or Commission. Disputed cases settled by referee or Commission	Judgment in Circuit Court on certified copy of memorandum of agreement, order, decision, or award of Division or Commission	By Industrial Commission within 20 days	By Commission on application or own motion after notice and hearing	Commission or Division may allow reasonable fee
MONTANA	Division of Workers' Compensation	For injuries not resulting in death, within 60 days unless employer has actual knowledge	Verified claim within 12 months after accident. Commission may grant additional 24 months	By agreement subject to approval of Division. Disputed cases settled by Workers' Compensation Judge	Lien on deposit of employer or insurer	By W.C. Judge 10 days to disapprove final compromise settlement	By W. C. judge within 4 years after final award. Final compromise settlement not reviewable	May be fixed by Division or W. C. judge. Added to successful claimant's award on appeals
NEBRASKA	Workmen's Compensation Court	In writing as soon as practicable; excusable	Within 2 years after injury, death, removal of incapacity, or last payment. For minor or dependent, within 1 year after becoming 19	By agreement with consent of insurer, but must be in accordance with Act. Disputed claims submitted to Compensation Court for hearing. Lump sums approved by Compensation Court and district court	Judgment in District Court on filing certified copy of order or award	By Compensation Court within 14 days after order or award of Judge	By agreement, subject to approval of Compensation Court, or on application after 6 months by Compensation Court	Subject to approval of judge of Compensation Court or Supreme Court

Kans. *If employer fails to report accident within 28 days, claim must be served on employer within 1 year after accident, and application must be filed with Division within 3 years after employer reports accident. *Childress v. Childress Painting Co.*, 597 P.2d 637 (Kansas S.Ct. 1979).

Maine *Overpayments are made pending review and may be recovered in lawsuit by employer if employee resumes work.

Md. *Employer or insurer who receives completed claim form must send it to Commission immediately and may not advise claimant that claim is denied.

Minn. *Employer who threatens to discharge claimant for filing claim is subject to civil suit for treble damages, costs, and attorney fees.
**In controversy with insurer, successful claimant is awarded 25% of fee in excess of $250.

CHART X ☐ ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS ☐ January 1, 1980 (continued)

JURISDICTION	ADMINISTRATION	NOTICE TO EMPLOYER	CLAIM FILING	HOW CLAIMS ARE SETTLED	AWARD EFFECT	REVIEW BY AGENCY	MODIFICATIONS	ATTORNEY'S FEES
NEVADA	Industrial Commission	Immediately, excusable within 30 days from accident 60 days after death	Within 90 days after accident, 1 year after death	By agreement, in conformity with Act, subject to approval of Commission		By Commission, then to Appeals Officer	On application within 1 year after injury or accrual of right	District Court may assess costs and attorney's fees if appeal is frivolous
NEW HAMPSHIRE	Department of Labor	In writing as soon as practicable and before voluntarily leaving employment	Within 90 days after injury, death, removal of incapacity, or last payment. Claims barred unless notice given within 2 years from date of accident	Compensation payable without award except in contested cases		By Commissioner. Special review board for state employees	Commissioner of Labor may modify no later than 4 years after last payment, award, or last medical payment	Subject to approval of Labor Commissioner or court. Attorney's fees and interest to successful claimant on appeal
NEW JERSEY	Division of Workers' Compensation	Within 14 days, excusable up to 90 days. Separate provisions for occupational diseases	Within 2 years after accident, death, last payment, or default. Separate provisions for occupational diseases	By agreement, subject to approval of Division. Disputed cases settled by Division	On filing with county clerk has effect of County Court judgment, may be docketed in Superior Court		By agreement or on application for review within 2 years of last payment. Settlement approved by compensation judge is final and conclusive	Not over 20 percent before Division. Court may fix reasonable fee on appeal.*
NEW MEXICO	Courts	In writing within 30 days, excusable up to 60 days, and for knowledge	Within 1 year after notice, death, or failure to pay. Time limit tolled while in same employment	By agreement, subject to approval of District Court. Disputed cases settled by court	Award is judgment		Provision only for decrease or termination	10 percent except on successful contest. Court may allow additional fee payable by employer
NEW YORK	Workers' Compensation Board	In writing within 30 days, excusable	Within 2 years after accident or death. When advance payment is made, claim is not barred	Compensation is payable without award within 18 days after disability, except in contested claims. Disputed claims settled by referee or Board. Hearing is mandatory upon application	Payment within 10 days after decision except in event of appeal. Judgment on filing certified copy of award in default	By Board on application or own motion	By Board at any time. Subject to special conditions	As a lien on award if approved by Board
NORTH CAROLINA	Industrial Commission	In writing within 30 days, excusable	Within 24 months after accident	By agreement, after 7 days from injury, or at any time in case of death, subject to approval of Commission. Disputed cases settled by Commission or member	Judgment in Superior Court on filing certified copy of agreement or decision	By Commission upon application within 15 days after award	By Commission on application or own motion within 2 years	Subject to approval of Commission. Commission may assess attorney's fees and court costs against party who proceeds without reasonable ground
NORTH DAKOTA	Workmen's Compensation Bureau	None required	Within 1 year after injury or death	By Bureau	Fund pays award and has liquidated claim against defaulting uninsured employers		By Bureau at any time on application or own motion	Determined by schedule adopted by Bureau; trial judge fixes on appeal but must give consideration to amount allowed by Bureau
OHIO	Bureau of Workers' Compensation and Industrial Commission	None required except to self-insurers	Within 2 years after accident, injury, or death	By Industrial Commission after hearing	Fund or self insurer pays award after judgment	By regional review board or Comm. within 20 days of decision of district hearing officer	By Commission or by Bureau within 6 years after injury or 10 years from last payment or death	Court fixes on appeals and in disputes. Maximum 20% for awards up to $3,000, 10% for awards over $3,000. Maximum $1,500.*
OKLAHOMA	Workers' Compensation Court and an Administrator	In writing within 30 days, excusable.*	Within 1 year after injury or last payment. Death claims—within 1 year after death or last payment.**	By agreement, after 3-day disability, subject to approval of Workers' Compensation Court. Disputed cases settled by Court	Judgment in District Court on certified copy after 10-day default	By Workers' Compensation Court within 10 days	By W.C. Court on application or own motion at any time. May reopen case within maximum number of weeks for which award is possible	W.C. Court must approve and direct payment. 10% maximum for temporary disability, 20% maximum for permanent disability or death
OREGON	Workers' Compensation Department	In writing within 30 days, excusable	Within 1 year after accident, last payment, or last date of medical services	Board must either accept or reject claim within 60 days.*		By referee on application within 60 days; further appeal to Board within 30 days	By Board on own motion or on application of employee within 5 years	Subject to approval of hearing officer, Board, or Court. Board establishes fee schedule
PENNSYLVANIA	Bureau of Workers' Compensation*	Within 21 days, excusable to 120 days. No compensation due until notice is given	Within 3 years after injury, death, or last payment	By agreement, after 7 days from injury, subject to approval of Department. Disputed cases determined by Appeal Board after hearing. Claim may be assigned to referee for hearing	Judgment in court on filing award or agreement	By Appeal Board from referee's decision within 20 days	By Department on application within 3 years	Subject to approval of referee, Appeal Board, or court
PUERTO RICO	Manager of the State Insurance Fund and Industrial Commission	None required	As soon as possible	By the Manager under rules he makes	Fund pays award	By Manager at any time	By Commission, within 30 days after copy of Manager's decision is served on the employee. Reconsideration on own motion or upon petition of interested party within 10 days	No attorneys required in hearings, but if requested by employee, they are paid a percentage of the award fixed by the Commission, court, or Fund
RHODE ISLAND	Workers' Compensation Commission	In writing within 30 days, excusable	Within 3 years after injury, manifestation, knowledge of injury, death, or removal of incapacity	By agreement approved by Director or By Commissioner with appeal to full Commission	Director's order enforceable by Commission and Superior Court	By Commission within 48 hours	By Commission during compensation period or within 10 years after compensation period has ceased, on own motion or on petition of either party	Subject to approval of Commission
SOUTH CAROLINA	Industrial Commission—2 divisions, Judicial Division and Administration Department	In writing as soon as practicable or within 90 days, excusable	Within 2 years after accident or 1 year after death	By agreement, after 7 days from date of injury or any time in case of death, subject to approval of Commission or member, after hearing, upon application	Judgment in Common Pleas Court on certified copy of agreement or award	By Commission from award of member within 14 days	To Commission an application or own motion within 12 months from last payment	Subject to approval of Commission
SOUTH DAKOTA	Division of Labor and Management	In writing as soon as practicable within 30 days, excusable	Within 2 years after injury, death, last payment, or medical expenses	By agreement, if not disapproved by Commissioner within 20 days. Disputed cases settled by Commissioner after hearing, upon application	Judgment in Circuit Court on certified copy of agreement or decision	By Commissioner within 10 days	By Commissioner on application	Subject to approval of Commissioner

N.J. *Based on excess over amount of award tendered in good faith a reasonable time before a hearing.

Ohio *Commission must fix attorney's fees in controversies, approve method of payment, and allow a reasonable fee upon application for review.

Okla. *If employer has actual notice of injury, statute of limitations is tolled until employer informs worker of right to file a claim.
**Employer that discriminates against claimant is liable for damages.

Oregon *Release, compromise, or settlement is voidable by worker if obtained within 15 days of injury, unless employer signified willingness to do so 5 days before settlement.

Pa. *Workers' Compensation Advisory Council recommends changes in administration of law.

CHART X ☐ ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS ☐ January 1, 1980 (continued)

JURISDICTION	ADMINISTRATION	NOTICE TO EMPLOYER	CLAIM FILING	HOW CLAIMS ARE SETTLED	AWARD EFFECT	REVIEW BY AGENCY	MODIFICATIONS	ATTORNEY'S FEES
TENNESSEE	Courts and Workmen's Compensation Division	In writing within 30 days; excusable up to 1 year	Within 1 year after accident. Dependents—within 1 year after employer's notice accepting liability	By agreement, subject to approval of Circuit Court. Disputed cases determined by County Court	Judgment in Circuit Court on approved agreement		By court, on application after 6 months. Award payable for more than 6 months may be modified by agreement approved by court	Subject to approval of court; maximum 20% of recovery or award
TEXAS	Industrial Accident Board	Within 30 days; excusable	Within 6 months after injury, death, or removal of incapacity; excusable *	By agreement, in conformity to Act, subject to approval of Board (compromise agreements may be approved). Disputed cases settled by Board	Collectible by suit		By Board at any time during compensation period, on application or own motion	Subject to approval of Board or court but not to exceed 25% of recovery
UTAH	Industrial Commission	Within 48 hours; excusable up to 1 year	Within 1 year after death; within 3 years after disability or last payment	By Industrial Commission	Lien from time of docketing in District Court	By Commission within 15 days	By Commission at any time. Award may be reviewed upon showing change within 2 years for silicosis—if complicated, 5 years	Fixed by Commission
VERMONT	Commissioner of Labor and Industry	In writing as soon as practicable; excusable	Within 6 months after injury, death, loss of damage suit, or removal of incapacity; excusable	By agreement, in conformity to Act, subject to approval of Commissioner (compromise agreements may be approved). Disputed cases settled by Commissioner	Judgment in county court on certified copy of agreement or award	By Commissioner on application within 6 months	By Commissioner on own motion or application at any time	Commissioner may award to successful claimant, and on appeal, 6% interest on contested part of award
VIRGIN ISLANDS	Commissioner of Labor	In writing within 48 hours; extendable up to 30 days. Occupational disease—within 30 days from first manifestation; extendable to 90 days	Within 60 days after injury		First priority lien on employer's assets	By Deputy Commissioner	By Deputy Commissioner	Subject to approval of Commissioner
VIRGINIA	Industrial Commission	In writing within 30 days	Within 2 years after accident or 1 year after death	By agreement, after 10 days from injury, or at any time after death, subject to approval of Commission. Disputed cases settled by Commission or member after hearing upon application	Judgment in Circuit Court on certified copy of agreement or award	By full Commission within 15 days after opinion	By Commission on own motion or application within 2 years of last payment, or 3 years for scheduled injuries	Subject to approval of Commission
WASHINGTON	Department of Labor and Industries	Immediately	Within 1 year after injury or death	By Department of Labor and Industries *		By Board of Industrial Insurance Appeals within 60 days on application	By Department within 7 years, on application or own motion; 10 years for loss of vision claims	By Appeals Board upon application, reviewable by Superior Court
WEST VIRGINIA	Workmen's Compensation Commissioner	Immediately	Within 2 years after injury or death	By Commissioner, hearing upon application		By Appeal Board within 30 days, or 60 days without notice	By Commissioner within set time limits, on written application, subject to review by Appeal Board *	Maximum fees established, limited to 20% of total award
WISCONSIN	Workers' Compensation Division	Within 30 days; excusable	Within 2 years after injury or death. Excusable if employer knew of disability. All rights barred after 10 years from injury, death, or last payment	By agreement, or compromise subject to review by Commission within 1 year. Disputed cases settled by Commission	Judgment in Circuit Court on certified copy of award	By Commission within 20 days from examiner	By Commission on its own motion within 20 days; compromises may be modified within 1 year if occupational disease, subject to review within 6 years	Limited to 20% of amount in dispute. If admitted liability, not to exceed 10% or $100
WYOMING	Courts and Division of Worker's Compensation	Within 24 hours (also within 20 days to the court); excusable	Within 1 year after injury or discovery of injury not readily apparent	By District Court with right of jury trial in certain cases			By court within 2 years or during time payments are made on application	Limited to 10% of recovery (maximum $500); Supreme Court services $500. If unusual complex case, may get a reasonable fee
F.E.C.A.	Division of Federal Employees' Compensation, O.W.C.P., U.S. Department of Labor	48 hours; extended for cause	Within 60 days after injury or 1 year after death; extended for cause	By Division	Fund pays award	By Administrator upon own motion or application at any time	By Administrator or Employees' Compensation Appeals Board on review	Subject to approval by Division or Appeals Board
LONGSHORE ACT	Division of Longshore and Harbor Workers' Compensation, O.W.C.P., U.S. Department of Labor	Within 30 days	Within 1 year after injury or death	By Deputy Commissioner (by agreement) or administrative law judge (formal hearing)	Award is effective on filing	By Deputy Commissioner upon own motion or application and by Benefits Review Board on appeal	By Deputy Commissioner or court on review	Approval by Deputy Commissioner, court, or Review Board where service given
ALBERTA	Workers' Compensation Board	As soon as practicable	Within 1 year after injury or death; 3 years after death if worker filed for injury; excusable	By claims officer	Fund pays award	By review committee on request, then by full Board, at any time	By Board at any time on application or own motion	
BRITISH COLUMBIA	Workers' Compensation Board	As soon as practicable	Within 1 year after injury, death, or disablement by disease; excusable within 3 years *	By Board	Fund pays award	By Board of Review within 90 days. From Board of Review to commissioners of the Board within 60 days (30 days if at request of Chairman of Board of Review)	By Board at any time	Board may award expenses of proceeding to successful party **
MANITOBA	Workers' Compensation Board	In writing as soon as practicable but no later than 30 days; excusable	Within 12 months after accident or death; excusable	By Board	Fund pays award	At any time	By Board	[illegible]
NEW BRUNSWICK	Workmen's Compensation Board	As soon as practicable	Within 1 year after injury or 6 months after death; excusable	By Board	Fund pays award	At any time	By Board †	

Texas *Employer who discriminates against claimant is liable for damages.

†Modification of award due to aggravation or recurrence of injury may be based on earnings and benefits in effect at that time.

Wash. *Provision is made for recoupment of benefits paid through mistake or fraud.

W. Va. *Within 2 years for fatal or non-fatal cases, 5 years for temporary total disability or in cases of no awards.

B.C. *After 3 years, compensation's payable only from date of filing.
**Government-appointed advisors handle workers' and employers' claims.

Man. *Government-appointed advisor handles workers' claims.

CHART X ☐ ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS ☐ January 1, 1980 (continued)

JURISDICTION	ADMINISTRATION	NOTICE TO EMPLOYER	CLAIM FILING	HOW CLAIMS ARE SETTLED	AWARD EFFECT	REVIEW BY AGENCY	MODIFICATIONS	ATTORNEY'S FEES
NEWFOUNDLAND	Workers' Compensation Board	As soon as practicable	Within 6 months after injury or death	By Board	Fund pays award	At any time	By Board	
NORTHWEST TERRITORIES	Workers' Compensation Board	As soon as practicable	Within 1 year after injury or death; excusable if as soon as practicable; maximum 3 years after death	By Board	Fund pays award	At any time	By Board	
NOVA SCOTIA	Workers' Compensation Board	As soon as practicable	Within 6 months after injury or death; excusable	By Board	Fund pays award	At any time	By Board at any time or Workers' Compensation Appeal Board within 90 days	(+)
ONTARIO	Workmen's Compensation Board	As soon as practicable	Within 6 months after injury or death	By Board, panel, or member	Fund pays award	At any time	By Board	
PRINCE EDWARD ISLAND	Workers' Compensation Board	As soon as practicable	Within 6 months after injury or death	By Board	Fund pays award	At any time	By Board[1]	
QUEBEC	Workmen's Compensation Commission	As soon as practicable	Within 6 months after injury or death	By Commission	Fund pays award	At any time.*	By Commission[1]	
SASKATCHEWAN	Workers' Compensation Board	As soon as practicable; excusable	Within 6 months after injury or death; excusable	By Board	Fund pays award	At any time	By Board	(+)
YUKON TERRITORY	Workers' Compensation Board	As soon as practicable	Within 1 year after injury or death; excusable if proof of disability or death is furnished within 3 years after accident and claim is a just one	By Board	Fund pays award	By Board at any time	By Board	
CANADIAN MERCHANT SEAMEN'S ACT	Merchant Seamen Compensation Board	As soon as practicable	Within 6 months after injury or death; excusable	By Board	Judgment in county, district, or Quebec Superior Court on certified copy of award	At any time	By Board	Board may award "expenses of proceeding" to successful party

N.S. *Gov.-in-Council may appoint counselor to assist claimants.

Quebec *Claimant may appeal from Commission to Social Affairs Commission.

Sask. *Government-appointed advisor handles workers' claims.

CHART XI EMPLOYER'S REPORT OF ACCIDENTS January 1, 1980

JURISDICTION	KEEPING OF ACCIDENT RECORDS BY EMPLOYER[1]	REPORTING REQUIREMENTS[1]		PENALTIES FOR FAILURE TO REPORT		
				FINES		
		INJURIES COVERED	TIME LIMIT	MAXIMUM	MINIMUM	IMPRISONMENT
ALABAMA	Required	Death or disability exceeding 7 days	Within 15 days	$500	$12	Up to 12 months
ALASKA	Required	Death or injury or disease or infection	Within 10 days	(+)		
AMERICAN SAMOA	Required	Injury or death	Within 10 days*	500		
ARIZONA	Not required	All injuries	Immediately and as required			Petty offense
ARKANSAS	Required	Injury or death	Within 10 days and as required	100		
CALIFORNIA	Required	Death cases or serious injuries	Immediately*	100	25	
		1 day or more than first aid	As prescribed			
		Occupational diseases or pesticide poisoning	Within 5 days			
COLORADO	Required	Death cases	Immediately	100		
		All injuries causing lost time of 3 days or more*	Within 10 days*			
CONNECTICUT	Required	Disability of 1 day or more	7 days, or as directed	250		
DELAWARE	Required	Death cases or injuries requiring hospitalization	Within 48 hours*	100	25	Up to 20 days
		Other injuries	Within 10 days*			
DISTRICT OF COLUMBIA	Required	All injuries	Within 10 days	500		
FLORIDA	Required	Death cases	Within 24 hours*	100		
		All injuries	Within 7 days and as required*			
GEORGIA	Required	All injuries requiring medical or surgical treatment or causing over 7 days' absence	Within 10 days*	100**		
GUAM	Required	Injury or death	Within 10 days*	500**		
HAWAII	Required	Death cases	Within 48 hours	100		Up to 90 days
		1 day of absence	Within 7 days			
IDAHO	Required	Disability of 1 day or more	As soon as practicable but not later than 10 days after the accident[2]	500		
ILLINOIS	Required*	Death cases or serious injuries	Within 2 working days	200	100	Misdemeanor
		Disability of over 1 day	Between 15th and 25th of month			
		Permanent disability	Soon as determinable			
INDIANA	Required	Disability of 1 day or more	Within 7 days*	500		
IOWA	Required	Disability of more than 3 days	Within 4 days	100	100	
KANSAS	Not required	Death cases	Within 28 days	(+)		
		Disability of 1 day or more	Within 28 days			
KENTUCKY	Required	Disability of more than 1 day	Within 7 days[2]	25		
LOUISIANA	Not required	No statutory provision				
MAINE	Not required	Death cases	Within 48 hours	100		
		All injuries	Within 7 days			
MARYLAND	Not required	Disability of more than 3 days	Within 10 days	50		
MASSACHUSETTS	Required	All injuries	Within 48 hours[2]	100		
MICHIGAN	Required	Death cases, disabilities of 7 days or more, and specific losses	Immediately			
MINNESOTA	Not required	Death or serious injury	Within 48 hours	500	50	
		Disability of 3 days or more	Within 15 days			
MISSISSIPPI	Required	Disability of one day or working shift	Within 10 days	100*		
MISSOURI	Not required	All compensable injuries	Within 10 days*	500	50	1 week to 1 year
MONTANA	Required	All injuries	Within 6 days*	500–1,000		Misdemeanor
NEBRASKA	Required	Death cases*	Within 48 hours*	1,000*		Up to 6 months
		All injuries*	Within 7 days*			
NEVADA	Required	All injuries	Within 6 working days	100, each failure		
NEW HAMPSHIRE	Required	All injuries	Within 48 hours	25		
NEW JERSEY	Required	All injuries*	Immediately	50	10	

[1]Federal Occupational Safety and Health Act of 1970 established uniform requirements and forms to meet its criteria for all businesses affecting interstate commerce to be used for statistical purposes and compliance with the Act. 12 U.S.C. §651.

[2]Supplemental report required after 60 days, or upon termination of disability.

[3]Attending physician also required to make periodic reports to Board.

[4]Supplemental report within 24 hours after returning to work or knowledge that worker is able to return.

Alaska: *20% of unpaid amounts due.

Am. Samoa: *Employer must also notify Commissioner upon first payment and suspension of payment, and within 16 days after final payment.

Calif.: *To Safety Division, in form required by federal Occupational Safety and Health Act.

Colo.: *Failure to report tolls time limit for claims. Disability of less than 3 days must be reported to insurer.

Del.: *Supplemental report upon termination of disability.

Fla.: *Supplemental report within 30 days after final payment.

Ga.: *Supplemental report on first payment and suspension of payment, and within 30 days after final payment. **For each refusal or willful neglect to report.

Guam: *Failure to report tolls limits for claims. **For each refusal or willful neglect to report.

Ill.: *To Safety Division, in form required by federal Occupational Safety and Health Act.

Ind.: *Supplemental report within 10 days after termination of compensation period.

Kans.: *Failure to report tolls time limit for claims. *Childress v. Childress Painting Co.* (Kans. App. 1979).

Miss.: *Added to compensation.

Mo.: *Supplemental report within 1 month for compensable injuries and injuries requiring medical aid.

Mont.: *Insurance carrier also required to report (by rule).

Neb.: *Report may be made by insurance carrier or employer. Failure to report tolls time limits.

N.J.: *Uninsured employers are required to report compensable injuries only. If insured, carrier is also required to make report.

CHART XI ☐ EMPLOYER'S REPORT OF ACCIDENTS ☐ January 1, 1980 (continued)

JURISDICTION	KEEPING OF ACCIDENT RECORDS BY EMPLOYER[1]	REPORTING REQUIREMENTS[1]		PENALTIES FOR FAILURE TO REPORT		
		INJURIES COVERED	TIME LIMIT	FINES MAXIMUM	FINES MINIMUM	IMPRISONMENT
NEW MEXICO	Required	Compensable injuries*	Within 10 days	100	25	
		All injuries**	Within 30 days			
NEW YORK	Required	Disability of 1 day or more or requiring medical care beyond two first aid treatments	Within 10 days	500		
		All injuries	As required			
NORTH CAROLINA	Required	Disability of more than 1 day	Within 5 days[2]	25	5	
NORTH DAKOTA	Required	All injuries	Within 1 week	500		
OHIO	Required	Injuries causing 7 days total disability or more	Within 1 week	500	500	
OKLAHOMA	Required	All injuries	Within 10 days or a reasonable time	500		
OREGON	Required	All serious injuries	Within 24 hours, if hospitalized, within 14 days if not hospitalized	(+)		
PENNSYLVANIA	Not required	Death cases	Within 48 hours	$100		Un to 30 days
		Disability of 1 day or more	After 7 days but not later than 10 days			
PUERTO RICO	Required	All injuries	Within 5 days	100		
RHODE ISLAND	Not required	Death cases	Within 48 hours	50		
		Disability of 3 days or more	Within 10 days*			
SOUTH CAROLINA	Required	All injuries	Within 10 days[2]	25	$5	
SOUTH DAKOTA	Required	All injuries	Within 30 days[2]	100		Or 30 days
TENNESSEE	Not required	Disability of 7 days or more	Within 14 days	100	50	
TEXAS	Required	Disability of more than 1 day	Within 8 days[2]	1,000		
UTAH	Required	All injuries	Within 1 week	500		
VERMONT	Required	Disability of 1 day or more or requiring medical care	Within 72 hours[2]	25		
VIRGIN ISLANDS	Required	Injury or disease	Within 8 days	500		Up to 6 months
VIRGINIA	Required	All injuries	Within 10 days[2]	250		
WASHINGTON	Not required	All injuries	Immediately	100*		
WEST VIRGINIA	Not required	All injuries	Within 5 days			
WISCONSIN	Required	Disability beyond 3-day waiting period	Within 4 days	100	10	
WYOMING	Required	All injuries	Within 10 days	100		Up to 6 months
F.E.C.A.	No provision	Death or probable disability	Immediately			
LONGSHORE ACT	Required	All accidents	10 days	500		
ALBERTA	Required	All injuries	24 hours[3,4]	50	10 per day	
BRITISH COLUMBIA	No provision	Death cases	Immediately	(+)		
		All injuries	3 days[3]			
MANITOBA	No provision	All injuries	3 days[3,4]	500*	50	
NEW BRUNSWICK	No provision	All injuries that disable or require medical aid	3 days[3,4]	50		
NEWFOUNDLAND	No provision	All accidents that disable or require medical aid	3 days	150		
NORTHWEST TERRITORIES	No provision	All accidents and deaths	3 days[3]	250		
NOVA SCOTIA	No provision	All accidents that disable or require medical aid	3 days[3]	50		
ONTARIO	Required	All accidents that disable or require medical aid	3 days[3,4]	250	25	
PRINCE EDWARD ISLAND	No provision	All accidents that disable or require medical aid	3 days	100	10 per day	
QUEBEC	No provision	All accidents	2 working days	50		
SASKATCHEWAN	No provision	All accidents	3 days[3]	500*		
YUKON TERRITORY	First aid cases	All accidents in which workman is injured	3 days*	1,000		Failure to pay penalty, imprisonment of 6 months to 1 year in aggregate
CANADIAN MERCHANT SEAMEN'S ACT	No provision	All accidents that disable or require medical aid	60 days	500		Up to 12 months

N.M. *To the State Labor Commissioner.
**To the Insurance Department of the State Corporation Commission.
Oregon *25% additional compensation plus attorneys' fees.
R.I. *Supplemental report upon termination of disability.
Wash. *Imposed on self-insurers.
B.C. *Employer may be liable for full cost of claim.
Man. *Plus 50% of compensation payable.
N.W.T. *Supplemental report within 3 days after return to work or knowledge that worker is able to return.
Sask. *Plus percentage of assessment.

CHART XII — SECOND-INJURY FUNDS — January 1, 1980

JURISDICTION	INJURIES COVERED	PAYABLE BY EMPLOYER	PAYABLE BY FUND	SOURCE OF FUND	SPECIAL PROVISIONS
ALABAMA	Second injury which combined with prior permanent partial disability results in permanent total disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent total disability	$100 in death cases	Employer must have knowledge of prior disabling injury affecting employability
ALASKA	Second injury which added to pre-existing permanent physical impairment results in substantially greater disability than from second injury alone.*	Disability caused by second injury up to 104 weeks	Compensation in excess of 104 weeks	Amount equal to 8% of total compensation for permanent partial disability payble to fund. $10,000 in no-dependency death cases; civil penalties	Vocational rehabilitation expense payable from fund. Physical impairment, as listed or would support an award of 200 weeks or more. Payments into fund terminate when unencumbered balance reaches $400,000
AMERICAN SAMOA	Second injury which combined with prior permanent impairment results in death or compensable disability greater than from second injury alone	Benefits for first 104 weeks	Benefits beyond first 104 weeks	$1,000 in no-dependency death cases; plus fines and penalties	Employer must have prior knowledge of disability
ARIZONA	Second injury involving loss of use of member or eye which added to pre-existing loss of use of member or eye results in permanent total disability. Also, aggravation of a pre-existing disease or disability which was not an industrial injury	Disability caused by second injury	Difference between compensation payable for second injury and permanent total disability	$1,150 in no-dependency death cases. Commission may allocate up to 2% of yearly premiums to special fund to keep fund actuarially sound	Payments are also made from fund for vocational rehabilitation
ARKANSAS	Second injury involving loss or loss of use of member or eye which added to pre-existing loss of member incurred in different employment results in permanent total disability.*	Disability caused by second injury. In permanent disability death cases, employer pays $50,000.*	Difference between compensation payable for second injury and permanent total disability. In permanent disability death cases, fund pays excess over $50,000.*	$1,000 in no-dependency death cases; $500 to Second Injury Fund and $500 to Permanent Total Disability and Death Fund; added penalty of 15% of benefits if due to employer's violation of health or safety regulations	Employer liable for combined disability of both injuries in same employment, but not to exceed 450 weeks or $29,000.*
CALIFORNIA	Second permanent partial injury which added to pre-existing permanent partial disability results in 70 percent or more permanent disability. Second injury must account for 35 percent.*	Disability caused by second injury	Difference between compensation payable for second injury and permanent disability	Legislative appropriations and $40,000 in each no-dependency death case or unpaid balance	Payments are made by State Compensation Insurance Fund
COLORADO	Second injury which added to pre-existing permanent partial disability results in permanent total disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent total disability	Fines, penalties, and $15,000 in no-dependency or partial-dependency cases	Amount payable by fund is limited to 1.2 of average wage loss, in case employee obtains employment while securing benefits
CONNECTICUT	Second injury or disease which added to pre-existing injury, disease or congenital causes results in permanent disability greater than from second injury alone	Benefits for first 104 weeks, less compensation payable for prior disability	Benefits beyond first 104 weeks, less compensation payable for prior disability	Fines, plus 3.1 2% of compensation paid by carriers and self-insurers during preceding calendar year	Payment suspended when fund reaches $500,000
DELAWARE	Second injury or disease which added to existing permanent injury from any cause results in permanent total disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent disability	Tax of 1% of premiums received by insurance carriers and equivalent charge on self-insurers	Payments suspended when fund reaches $80,000 and resumed when below $35,000
DISTRICT OF COLUMBIA	Second injury resulting in permanent partial disability which added to pre-existing injury results in permanent total disability	Disability caused by second injury for first 104 weeks	Difference between compensation payable for second injury and permanent total disability	$5,000 in no-dependency death cases or unpaid awards. Pro-rata assessments upon carriers and self-insurers based on paid losses. Fines and penalties	50 percent of fund used to pay additional benefits in second injury cases and the balance for vocational education rehabilitation. Supplementary benefits for total disability or death payable from fund
FLORIDA	Second injury or disease which merges with previous permanent physical impairment and results in substantially greater disability than from the second injury alone		Fund reimburses employer for 60% of impairment benefits, 60% of wage-loss benefits during first 5 years after maximum medical improvements and 75% thereafter, PT benefits after 175 weeks, 75% of death benefits and funeral expenses and 50% of first $10,000 in temporary disability and medical benefits and 100% beyond $10,000	Pro-rata annual assessment upon net premiums of insurers and self-insurers	Assessment must equal sum of immediate past 3 years' disbursements
GEORGIA	Second injury or disease which merges with prior permanent physical impairment and results in greater disability than from second injury alone	Disability caused by second injury for first 104 weeks	Employer reimbursed for 50% of medical expenses in excess of $5,000 up to $10,000 and 100% of medical expenses in excess of $10,000, plus income benefits beyond 104 weeks	Assessments on carriers and self-insurers proportionate to 175% of disbursements from fund to annual compensation benefits paid in no-dependency death cases, 1.2 of benefits payable or $10,000, which ever is less	Employer must have prior knowledge of impairment. Assessments may be reduced or suspended when no funds are needed
GUAM	Second injury which combined with a previous disability causes permanent disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent total disability	$1,000 in no-dependency death cases	Half of special fund is available as compensation for second injury, remainder as rehabilitation maintenance payment
HAWAII	Second injury which added to pre-existing disabilities results in greater permanent disability	Disability caused by second injury. Also, in cases other than scheduled injuries in concurrent employments	Difference between compensation payable for second injury and permanent total disability	$8,775 in no-dependency death cases, and unpaid balance of compensation due in permanent total and permanent partial disability cases, if no dependents; 1.4% premium tax on insurers and self-insurers	Premium tax suspended when balance exceeds $200,000; resumed when below $100,000
IDAHO	Second injury which combined with prior permanent physical impairment results in permanent total disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent disability	Amount equal to 4% of award for scheduled or unscheduled injuries	When fund exceeds $500,000 excise may be suspended or reduced
ILLINOIS	Second injury involving loss or loss of use of major members or eye which added to pre-existing loss of member results in permanent total disability	Disability caused by second injury.*	Difference between compensation payable for second injury and permanent disability	$1,000 in death cases with dependents, $500 in case of loss or total loss of use of major member	When fund reaches $200,000 amount payable into fund reduced by 1.2. When fund reaches $500,000, payments cease. When fund reduced to $300,000, payment resumed
INDIANA	Second injury involving loss or loss of use of hand, arm, foot, leg, or eye which added to pre-existing loss or loss of [illegible] member results in permanent total disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent total disability	1% of compensation paid by insurers and self-insurers during preceding calendar year	Payment suspended when fund reaches $400,000

Alaska *Pre-existing disability must support 25% earnings loss or 90 weeks of benefits.

Ark. *Effective 1.1.81, injuries covered include any second injury which added to pre-existing permanent partial disability or impairment results in greater disability than from second injury alone. Employer is liable only for disability caused by the second injury, and fund pays the difference between compensation payable for second injury and greater disability.

Calif. *Second injury must account for 35% unless prior disability involved a major member and second injury was to opposite and corresponding member and accounts for at least 5%.

Ill. *Employer is liable in full if second injury is permanent and total without relation to prior injury.

CHART XII ☐ SECOND-INJURY FUNDS ☐ January 1, 1980 (continued)

JURISDICTION	INJURIES COVERED	PAYABLE BY EMPLOYER	PAYABLE BY FUND	SOURCE OF FUND	SPECIAL PROVISIONS
IOWA	Second injury involving loss or loss of use of member or eye which added to pre-existing loss of use of member results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent disability, less amount paid for previous loss of member or organ.	$1,000 in no-dependency death cases; any contributions by the United States; payments due but not paid to non-resident alien dependents; and sums recovered from third parties.	Payments suspended when fund reaches $100,000; resumed when below $50,000.
KANSAS	Second injury related to 17 types of handicap as listed in statute—any physical or mental impairment.	Difference between fund payment and maximum award.	Compensation to the extent pre-existing handicap contributed to second injury.	$5,000 from employer in no-dependency death cases; and pro-rata annual assessment upon carriers and self-insurers based on losses.	Legislature oversees adequacy of workers compensation fund, administered by Insurance Commissioner. Employer must prove knowledge of prior disability.*
KENTUCKY	Second injury or disease which added to prior disability or condition results in permanent disability greater than from second injury alone.	Disability caused by second injury.	Difference between compensation payable for second injury and greater disability, less amount paid for prior injury.	3.4% premium tax on carriers and self-insurers.	Additional assessments authorized if Commissioner deems necessary.
LOUISIANA	Second injury which combined with prior permanent partial disability results in disability greater than from second injury alone, or in death.*	Disability benefits for first 104 weeks; in death cases, first 175 weeks.	Employer reimbursed for disability benefit payments after first 104 weeks; death cases after 175 weeks.	1% premium tax on carriers and self-insurers; minimum $10.	Tax reduced when fund reaches $1,000,000; suspended when fund exceeds 200% of disbursements; resumed when below 125% of disbursements.
MAINE	Second injury caused by accident, disease, or congenital condition which added to pre-existing impairment results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	In no-dependency death cases: 100 x SAWW.	
MARYLAND	Second injury which combined with a pre-existing permanent impairment due to accident, disease, or congenital condition results in a greater combined disability constituting a hindrance to employment.	Disability caused by second injury.	If permanent disability exceeds 50% of the body as a whole, employee is entitled to additional compensation for the full disability from the Subsequent Injury Fund. Prior injury and second injury must each be compensable for at least 125 weeks.	5% of compensation paid for disability, death, or settlements.	Payments suspended when fund reaches $1,000,000; resumed when below $500,000.
MASSACHUSETTS	Second injury which added to pre-existing physical impairment results in substantially greater disability or death. Pre-existing disability must support 25% earnings loss or 90 weeks of benefits.	Benefits for first 104 weeks.	Employer reimbursed for half of benefits after first 104 weeks.	$500 in no-dependency death cases, and additional $500 in every death case; unpaid balance of scheduled awards.	Pro-rata assessment based on losses paid during preceding year by carriers and self-insureds.
MICHIGAN	Second injury involving loss of member or eye, which added to pre-existing loss of member results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	Assessments on carriers and self-insurers proportionate to 175% of disbursements from fund to annual compensation benefits paid.	Fund is credited with any balance in excess of $200,000.*
MINNESOTA	Second injury which added to pre-existing physical impairment results in substantially greater disability.*	Disability caused by second injury up to 52 weeks and $2,000 medical expenses.**	Difference between compensation payable for second injury and greater disability.	$5,000 in no-dependency death cases; 7% of the award in all disability or death cases paid in addition to award.	Percent of award assessment fixed annually based on balance in fund over $1 million; fixed at 18%, effective January 1, 1977.
MISSISSIPPI	Second injury involving loss or loss of use of member or eye, which added to pre-existing loss or loss of use of member or eye results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent disability.	$500 in no-dependency death cases; $150 in dependency cases.	$150 payments suspended when fund reaches $35,000 and until reduced to $20,000.
MISSOURI	Second injury* resulting in permanent partial disability which compounds either a greater permanent partial or a permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and compounded disability.	20% of 3% premium tax. Payment by carriers or self-insurers of 1.2 of total compensation paid.	
MONTANA	Second injury which combined with prior permanent physical impairment results in death or disability.	Benefits for first 104 weeks.	Employer reimbursed after first 104 weeks.	$1000 paid by employers, insurers or accident fund in every death case. Carriers and self-insurers assessed 5% of losses paid in preceding year.	Division must certify unemployed worker as vocationally handicapped.
NEBRASKA	Second injury which combined with pre-existing disability causes substantially greater disability. Pre-existing disability must support 25% earnings loss or 90 weeks of benefits.†	Disability caused by second injury.	Difference between compensation payable for second injury and previous disability.	1% premium tax on carriers or self-insurers ($25 minimum) payable to Workmen's Compensation Court.	Payments suspended when fund reaches $400,000; resumed when below $200,000.
NEVADA	Second injury which combined with any previous permanent physical disability causes substantially greater disability.*		Compensation payable by fund.	Second Injury Account in State Fund**	Compensable claim considered; excess loss in calculation of employer's experience rating. Employer must prove knowledge of prior impairment.
NEW HAMPSHIRE	Second injury which combined with any pre-existing disability results in substantially greater disability.†	Benefits for first 104 weeks.	Employer reimbursed after first 104 weeks.	Assessment against carriers and self-insurers proportional to compensation payments made by all carriers.	
NEW JERSEY	Second injury resulting in permanent partial disability which added to pre-existing partial disability, compensable or not, results in permanent total disability.	Disability caused by compensable injury.	Difference between compensation payable for second injury and permanent total disability.	Carriers and self-insurers assessed pro-rata for 150% of payments made from fund as it bears to total compensation paid during preceding year. Annual assessments paid quarterly.	When fund balance exceeds $1,250,000, up to $50,000 per year may be applied toward administration costs of Division.
NEW MEXICO	Second injury which added to pre-existing disability results in permanent disability greater than from second injury alone, or, second injury resulting in death.	Liability apportioned by judicial determination.	Liability apportioned by judicial determination.	$1,000 in no-dependency death cases. Employer or insurer pays quarterly assessment up to 1% of compensation paid during quarter exclusive of medical benefits and attorney's fees.	

Kans. *Employer may file description of prior impairment to create presumption of prior knowledge.

†In death cases it must be established that either the injury or the death would not have occurred except for such pre-existing permanent physical impairment. "Permanent physical impairment" means any permanent condition due to previous accident, disease, or congenital condition which is likely to be a hindrance to employment.

La. * "Permanent partial disability" means any permanent condition due to injury, disease, or congenital causes which is likely to be a hindrance to employment. Certain scheduled conditions are presumed to be permanent partial disabilit, if employer had prior knowledge.

Mich. *Compensation to certified vocationally handicapped persons payable from fund after 104 weeks.

Minn. * Physical impairment" means any permanent physical or mental condition, due to injury, disease, surgery, or congenital cause, which is likely to be a hindrance to employment, as limited in a schedule. Occupational disease is not a second injury. "Disability" includes medical expense or retraining.

**If second injury results in scheduled permanent partial disability, employer alone is liable for all compensation, medical expenses, and retraining. Pre-existing physical impairm nt must be registered with Commission within 180 days after injury.

Nev. *Pre-existing disability must support a rating of 12% or more of the whole man based on A.M.A. guides which is likely to be a hindrance to employment.

**State Fund composed of premiums, contributions, penalties, bonds, securities, and all other property collected by Commission.

CHART XII ☐ SECOND-INJURY FUNDS ☐ January 1, 1980 (continued)

JURISDICTION	INJURIES COVERED	PAYABLE BY EMPLOYER	PAYABLE BY FUND	SOURCE OF FUND	SPECIAL PROVISIONS
NEW YORK	Second injury involving loss or loss of use of member or eye, which added to pre-existing injury results in permanent total disability; second injury which added to pre-existing loss or partial loss of member or eye or other "permanent physical impairment" not resulting from a dust disease results in disability greater than from second injury alone or second injury or disease resulting in death, which is caused by pre-existing disability.[1]	Benefits for first 104 weeks.	Employer reimbursed after first 104 weeks.	Assessment against carriers and self-insurers proportional to compensation payments made by all carriers.	Employer or insurer pays awards and medical expenses, but is reimbursed from special disability fund for benefits after first 104 weeks.
NORTH CAROLINA	Second injury involving loss of member or eye which added to pre-existing injury results in permanent total disability, provided the original and increased disability were each 20% of the entire member.*	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	Assessments against employer or insurer for each permanent partial disability, up to $50 for a minor member and $200 for a major member (currently $25 and $100, respectively).	
NORTH DAKOTA	Second injury or aggravation of any previous injury or condition which results in further disability.	Disability caused by second injury.	Difference between compensation payable for second injury and remainder of costs.	Reserve set aside out of statutory surplus funds.	Compensation in excess of amount chargeable to second injury is charged to surplus fund.
OHIO	Second injury which added to previous injury, disease, or condition (22 types of handicaps as listed in the statute) results in death, temporary or permanent total disability, and disability compensable under a special schedule.*	Disability attributable to injury or occupational disease sustained in employment.	Amount of disability or proportion of cost of death award determined by Industrial Commission to be attributable to employee's pre-existing disability.	Reserve set aside out of statutory surplus funds.	In the case of a self-insuring employer, excess payments are made from the surplus fund. By rule of Commission in the case of State Fund employer, compensation in excess of amount chargeable to second injury is charged to surplus fund.
OKLAHOMA	Second injury to "physically impaired person" which results in additional permanent disability greater than from second injury alone.	Disability caused by second injury.	Difference between compensation payable for second injury and compensation for combined injuries.	2% of permanent disability losses by carriers, state fund, and self-insurers, and 2% of awards for permanent disability by employers.[2]	Permanent total awards are payable by the fund for 5 years or until age 65, whichever is longer.
OREGON	Compensable injury which results in permanent disability that may be an obstacle to employment.	No. Claims cost is charged against the employer for experience rating purposes only.	Assistance Board considers appropriate.	Employer retains from each worker 1¢ per day, payable into Second Injury Reserve Fund.	Rehabilitation fund used for operation costs of sheltered work shops for vocational rehabilitation, financed by additional 1¢ per day per employee.
PENNSYLVANIA	Second injury involving loss or loss of use which added to pre-existing loss or loss of use of member results in permanent total disability.	Disability caused by second injury.	Remaining compensation due for total disability.	Pro rata to maintain $100,000 in fund.	Payments are made directly by the Department.
PUERTO RICO	Second injury which aggravates or augments any former disability.		Job injury not caused by work accident is compensated in addition to second injury. Compensation for prior job injury is deducted from compensation payable for total disability, except where combined injury results in permanent total disability which is compensated as such.	The difference between expenditures by the Industrial Commission and the Manager of the State Insurance Fund and their maximum budget allotment are placed in the Reserve Fund for catastrophies except for medical expense surpluses.	
RHODE ISLAND	Second injury involving loss or loss of use of member or eye or any definite permanent partial disability which added to pre-existing injury results in permanent total disability.	Disability caused by second injury.*	Difference between compensation payable for second injury and permanent total disability.	2-3.4% tax on gross premiums collected by insurers and comparable tax on self-insurers, plus $750 in no-dependency death cases, also certain penalties.	Limitations on some pre-existing conditions. Tax suspended when fund is twice amount disbursed during previous year and reinstated when fund is less than 1:1.3 of such amount.
SOUTH CAROLINA	Second injury which added to any previous permanent physical impairment results in substantially greater disability or death.	Disability caused by second injury for first 78 weeks; compensation and medical care.	Employer reimbursed for all benefits after 78 weeks, plus 50% of medical payments over $3000 during first 78 weeks.	Pro rata assessments on carriers and self-insurers based on losses paid. In no-dependency deaths, unpaid benefits to fund.	Employer must prove prior knowledge of impairment or that worker was unaware of impairment.*
SOUTH DAKOTA	Second injury which added to any pre-existing disability results in additional permanent partial or total disability or death.	Disability caused by second injury.	Difference between compensation payable for second injury and compensation for combined injuries. In death cases fund pays compensation in excess of 312 weeks.	Carriers and self-insurers assessed 1.2% of losses paid during preceding year and $500 in no-dependency death cases.	Payments suspended at $100,000 and resumed at $50,000.
TENNESSEE	Second injury involving loss or loss of use of member or eye which added to pre-existing loss or loss of use of member results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	$150 in death cases and $15 in each case of permanent partial disability.	
TEXAS	Second injury involving loss or loss of use of member which added to pre-existing injury results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	$25,200 payable into fund in each no-dependency death case.	Payments suspended at $750,000 and resumed at $300,000.
UTAH	Second injury which combined with a previous permanent incapacity due to accident, disease, or congenital condition results in a substantially greater disability.	Disability caused by second injury.	Difference between compensation payable for second injury and compensation for combined injuries.	$18,720 in no-dependency death cases, less compensation paid, plus 3% premium tax on insurers and self-insurers. Fines from uninsured employers.	Medical panel determines percentage of disability attributable to prior disability and second injury. Fund is also used to extend the period of compensation above regular award for certain claimants who are permanently and totally disabled and who cannot be rehabilitated.
VERMONT	Second injury involving loss of use of member or eye which added to previous disability results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	$500 in no-dependency death cases.	
VIRGIN ISLANDS	Second injury which combined with prior impairment results in death or compensable disability greater than from second injury alone.	None. Employer's experience rating affected by disability payments after 104 weeks.	All benefits.	Premiums paid by employers by classification and experience, plus fines, penalties, and interest.	Employer must have prior knowledge of disability.

N.C. *Epilepsy is considered a prior permanent disability.

Ohio *Does not apply to compensation for temporary partial or percentage of permanent partial disability.

Okla. *Payable quarterly, not later than the 15th day of the month following; total tax is 4½-12% of awards for permanent disability, total or partial). Tax is based on award and is payable regardless of whether award is paid. State political subdivisions pay 2% of permanent disability compensation paid in preceding year.

R.I. *If employer or insurer is insolvent, fund continues to pay compensation. 2-e.

S.C. * Permanent physical impairment means any permanent condition due to injury, disease, or congenital causes which is likely to be a hindrance to employment. Certain scheduled conditions are presumed to be permanent physical impairment if employer had prior knowledge.

CHART XII ☐ SECOND-INJURY FUNDS ☐ January 1, 1980 (continued)

JURISDICTION	INJURIES COVERED	PAYABLE BY EMPLOYER	PAYABLE BY FUND	SOURCE OF FUND	SPECIAL PROVISIONS
VIRGINIA	Second injury involving 20% loss or loss of use of member or eye which added to pre-existing disability of 20% or more results in total or partial disability	Disability caused by second injury	Compensation after all other compensation has expired	1.4% premium tax on carriers and self-insurers	Payments suspended at $250,000 and resumed at $125,000
WASHINGTON	Second injury or disease which added to pre-existing injury or disease results in permanent total disability or death	Disability caused by second injury	Difference between charge assessed against employer at time of second injury and total pension reserve	Transfer of not more than cost from accident injury fund to second injury account. Self-insurer pays $10,000 in no-dependency death cases	
WEST VIRGINIA	Second injury involving loss or loss of use of member or eye which added to pre-existing loss of member results in permanent total disability *	Disability caused by second injury			Compensation in excess of amount chargeable to second injury is paid out of second injury fund at the Commissioner's disposal
WISCONSIN	Second injury with permanent disability for 200 weeks or more with a pre-existing disability of an equal degree or greater	Disability caused by second injury	Disability caused by lesser of 2 injuries. If the combined disabilities result in permanent total disability, fund pays the difference between compensation payable for second injury and permanent total disability	$4,000 for loss of a hand, arm, foot leg, or eye. In no wholly dependent or partially dependent cases, 80% of death benefit otherwise available	
WYOMING	Second injury in extra-hazardous employment which added to pre-existing loss or loss of use of member or eye results in permanent total disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent disability	$500 in no-dependency death cases	Any payments for previous partial disability or payments which would have been made if the previous injury had occurred in an extra-hazardous employment are deducted from the award
LONGSHORE ACT	Second injury resulting in permanent partial disability which added to pre-existing injury results in permanent total disability	Disability caused by second injury for first 104 weeks	Difference between compensation payable for second injury and permanent total disability	$5,000 in no-dependency death cases or unpaid awards. Pro-rata assessments based on losses paid. Fines and penalties	50% of fund is for second injuries and 50% for rehabilitation. Supplementary benefits for total disability or death payable by fund
ALBERTA	No specific statutory provision				
BRITISH COLUMBIA	Injury or disease superimposed on existing disability	No	Proportion of disability attributable to second injury	Accident Fund	
MANITOBA	All enhanced disabilities because of similar or other disabilities	No	Yes	Accident Fund	Compensation must be at least half the benefit payable if the entire disability were caused by the second injury. Condition includes neurosis or psychoneurosis
NEW BRUNSWICK	Second injury coupled with other prior injuries or disabilities	No	Yes	Reserve Fund	
NEWFOUNDLAND	All enhanced disabilities because of similar or other disabilities	No	Difference between compensation payable for second injury and final result of disablement	Reserve Fund	
NOVA SCOTIA	Injury that aggravates, activates, or accelerates pre-existing disease or condition, or injury that results in injury or disease caused partly by employment and partly by other causes	No	Disability attributable to second injury	Accident Fund	Board has authority to establish second injury fund
NORTHWEST TERRITORIES	No specific statutory provision				
ONTARIO	All enhanced disabilities due to pre-existing diseases, condition, or disability	No	Difference between second injury and total cost	Second Injury and Enhancement Fund	Not restricted to permanent disability cases
PRINCE EDWARD ISLAND	No specific statutory provision				
QUEBEC	Enhanced disability because of previous infirmity				Commission has authority to establish second injury fund
SASKATCHEWAN	All enhanced disabilities due to preexisting disease, condition, or disability	No	Difference between second injury and total cost	Injury Fund	
YUKON TERRITORY	All enhanced disabilities because of similar or other disabilities	No	Yes	Compensation Reserve Fund. Assessment on employers' annual payroll	
CANADIAN MERCHANT SEAMEN'S ACT	No specific statutory provision				

W.Va. *Employer is charged for second injury only with respect to ascertainable impairments caused by prior injury.

CHART XIII — ADMINISTRATION EXPENSES, WORKERS' COMPENSATION DEPARTMENTS — January 1, 1980

JURISDICTION	SYSTEM PROVIDED FOR	FUND OR APPROPRIATION	ASSESSMENT PROVISIONS		OTHER INCOME
			AGAINST WHOM	AMOUNT	
ALABAMA	Private insurance	General appropriation; court administration			
ALASKA	Private insurance	General appropriation			
ARIZONA	Competitive fund	Administrative fund	Carriers, self-insurers, and state fund	3% of premiums; minimum $250	
AMERICAN SAMOA	Private insurance	Special fund			
ARKANSAS	Private insurance	Special fund	Carriers and self-insurers	1-1.2% of premiums; maximum*	$500 first year for carriers; $100 first year for self-insurance
CALIFORNIA	Competitive fund	General appropriation		Fund pays same premium taxes levied on private insurance companies (2.35%)	Fees for records, etc.
COLORADO	Competitive fund	Special fund	Carriers, self-insurers, and state fund	0.5% of premiums for Safety Education Department	
CONNECTICUT	Private insurance	General appropriation	Carriers and self-insurers	Pro rata assessment necessary to cover expenses	
DISTRICT OF COLUMBIA	Private insurance	Appropriation authorized from United States Treasury for administrative expenses			
DELAWARE	Private insurance	General appropriation	Carriers	Pro rata assessment necessary to cover expenses	
FLORIDA	Private insurance	Special fund	Carriers and self-insurers	Maximum 4% of net earned premiums	
GEORGIA	Private insurance	General appropriation	Carriers and self-insurers	Prorated	
GUAM	Private insurance	General appropriation			
HAWAII	Private insurance	General appropriation			
IDAHO	Competitive fund	Industrial Administration Fund	Carriers, self-insurers, and state fund	1.3% of premiums	Fees for records
ILLINOIS	Private insurance	General appropriation			
INDIANA	Private insurance	General appropriation			
IOWA	Private insurance	General appropriation			
KANSAS	Private insurance	General appropriation		[1]	Fees: $2 filing agreement or final receipt; $60 maximum each claim in which testimony is introduced; etc.
KENTUCKY	Private insurance	Maintenance Fund	Carriers and self-insurers	2% of premiums	
LOUISIANA	Private insurance	General appropriation; court administration			
MAINE	Private insurance	General appropriation			
MARYLAND	Competitive fund	General appropriation	Carriers, self-insurers, and state fund	Prorated	
MASSACHUSETTS	Private insurance	General appropriation			
MICHIGAN	Competitive fund	General appropriation		[1]	
MINNESOTA	Private insurance	General appropriation			
MISSISSIPPI	Private insurance	Special fund	Carriers and self-insurers	Prorated on basis of total compensation paid	Civil penalties
MISSOURI	Private insurance	General appropriation	Carriers and self-insurers	3% of premiums	Fees for records, etc.
MONTANA	Competitive fund	Industrial Administration Fund; appropriation and fees	Carriers, self-insurers, and state fund	Prorated on prior year's costs; $200 minimum	Graduated inspection fee; fees for records, etc.; and fines
NEBRASKA	Private insurance	General appropriation	Carriers	3% for foreign; 1.6% for domestic*	
NEVADA	Exclusive fund	State Insurance Fund			
NEW HAMPSHIRE	Private insurance	Administration Fund; court administration	Carriers and self-insurers	Prorated on basis of total compensation paid; $100 minimum	Civil penalties
NEW JERSEY	Private insurance	General appropriation	Carriers	1.4% of premiums*	Maximum of $60,000 excess from 2nd Injury Fund may be paid over to W. C. administration
NEW MEXICO	Private insurance	General appropriation; court administration			
NEW YORK	Competitive fund	Assessment	Carriers, self-insurers, and state fund	Total amount prorated on basis of compensation payments	$100 assessment or 10% of award, whichever is greater, where all appeals withdrawn; $5 for unnecessary adjournment requested by carrier; $10 from each employer or carrier requesting review where review affirms decision. Fines imposed for non-insurance and discrimination against claimant
NORTH CAROLINA	Private insurance	General appropriation	Carriers and self-insurers	On gross premiums at rate in revenue act	
NORTH DAKOTA	Exclusive fund	Workmen's Compensation Fund			

Ark.: *May be increased or reduced by Commission

Kans.: "System of assessments similar to Mississippi's

Mich.: *Annual assessment of 1.2 of 1% levied on insurers and self-insurers of compensation paid to be used for the safety education and training fund. On Jan. 1, 1979, assessment shall be pro rata and based upon 3.4 of 1% of compensation paid

Neb.: [1] Not specially for workers' compensation administration

N.J.: [1] To administer insurance provisions

CHART XIII ☐ ADMINISTRATION EXPENSES, WORKERS' COMPENSATION DEPARTMENTS ☐ Jan. 1, 1980 (cont.)

JURISDICTION	SYSTEM PROVIDED FOR	FUND OR APPROPRIATION	ASSESSMENT PROVISIONS		OTHER INCOME
			AGAINST WHOM	AMOUNT	
OHIO	Exclusive and self-insurance	State fund	Excess carriers and self-insurers, counties and taxing districts, and state and instrumentalities		
OKLAHOMA	Competitive fund	Administrative Fund, State Insurance Fund, and general appropriations	Carriers and self-insurers	2% premium tax, and 4% tax on self-insurers based on compensation paid for permanent disability or death	
OREGON	Competitive fund	Administrative fund	Employers	Apportioned—percentage of premium needed to pay administration expenses	Fines for violations
PENNSYLVANIA	Competitive fund	Administration Fund	Carriers, self-insurers, and state fund	Prorated	
PUERTO RICO	Exclusive fund	State fund and appropriations	State fund	Maximum 18% of total premium receipts	
RHODE ISLAND	Private insurance	General appropriation			
SOUTH CAROLINA	Private insurance	General appropriation	Carriers and self-insurers	4-1.2% of premiums	
SOUTH DAKOTA	Private insurance	General appropriation			
TENNESSEE	Private insurance	General appropriation, court administration	Carriers and self-insurers	4% of premiums	
TEXAS	Private insurance	General appropriation	Carriers and self-insurers	3.5 of 1%.* Additional 45.100 of 1% gross W. C. premiums paid to Board for administration purposes. Self-insurers pay 45.100 of 1% of losses paid	
UTAH	Competitive fund	General appropriation	Carriers and state fund	1.4% of gross premiums	3-1.4% of premium tax, 3% to Second Injury Fund, 1.4% for administration
VERMONT	Private insurance	General appropriation			
VIRGIN ISLANDS	Exclusive fund	Territorial fund	Territorial fund		Fines, penalties, and interest
VIRGINIA	Private insurance	Special fund	Carriers and self-insurers	2.5% of premiums	
WASHINGTON	Exclusive fund and self-insurance	State fund	State fund and self-insurers	Determined by Director	
WEST VIRGINIA	Exclusive fund and self-insurance	General appropriation and state fund	Self-insurers		
WISCONSIN	Private insurance	General purpose revenue	Carriers and self-insurers	Pro rata on indemnity paid on closed cases during prior year	
WYOMING	Exclusive fund	Industrial Accident Fund	State fund		
F.E.C.A.	Exclusive fund	Appropriation authorized from U.S. Treasury			
LONGSHORE ACT	Private insurance	Appropriation authorized from U.S. Treasury			
ALBERTA	Exclusive fund	Accident Fund	All employers under the act	Determined by Board	Penalties for violations
BRITISH COLUMBIA	Exclusive fund	Accident Fund	All enumerated employers	Determined by Board	
MANITOBA	Exclusive fund	Accident Fund	All enumerated employers	Determined by Board	Such sum out of consolidated fund as Lt. Gov.-in-Council may direct
NEW BRUNSWICK	Exclusive fund	Accident Fund	All enumerated employers	Determined by Board	Penalties for violations
NEWFOUNDLAND	Exclusive fund for Part I, individual liability, Part II	Accident Fund	All enumerated employers	Determined by Board	Fines for violations
NORTHWEST TERRITORIES	Exclusive fund	Workers' Compensation Fund	All employers	Determined by Board	
NOVA SCOTIA	Exclusive fund	Accident Fund	All enumerated employers	Determined by Board	
ONTARIO	Exclusive fund for Schedule I employers, individual liability for Schedule II employers	Accident Fund	All employers in Schedule I and II	Determined by Board	
PRINCE EDWARD ISLAND	Exclusive fund for Part I, individual liability, Part II	Accident Fund	All enumerated employers	Determined by Board	
QUEBEC	Exclusive fund for Schedule I employers, individual liability for Schedule II employers	Accident Fund	All employers in Schedule I	Determined by Board	Annual sum not exceeding $100,000 may be paid out of consolidated revenue fund
SASKATCHEWAN	Exclusive fund	Injury Fund	All employers	Determined by Board	Penalties for violations
YUKON TERRITORY	Exclusive fund	Accident Fund	All employers	Percent of payroll determined by Commissioner	
CANADIAN MERCHANT SEAMEN'S ACT	Private insurance	Cost of administration apportioned among employers	All employers of merchant seamen	Determined by Board	

Tex. *To administer insurance provisions.

CHART XIV APPEAL PROVISIONS January 1, 1980

JURISDICTION	ADMINISTRATION	TIME FOR APPEAL	TO WHAT COURT	PROCESS AND PROCEDURE	QUESTIONS REVIEWED: LAW ONLY	QUESTIONS REVIEWED: LAW AND FACT	BASIS FOR REVIEW[1]	JURY TRIAL
ALABAMA	Courts	30 days	Supreme Court	Certiorari	Yes		Record	No
ALASKA	Workmen's Compensation Board	30 days	Superior Court	Injunction	Yes		Record	No
AMERICAN SAMOA	Workmen's Compensation Commission	30 days	High Court	As in civil actions	Yes		Record	No
ARIZONA	Industrial Commission	30 days	Superior Court Supreme Court of Appeals*	Certiorari		Yes	Record	No
ARKANSAS	Workmen's Compensation Commission	30 days No provision	Court of Appeals Supreme Court	As in civil actions, with precedence over all other civil cases As in civil actions	Yes Yes		Record Record	No No
CALIFORNIA	Appeals Board	45 days	Supreme Court, or District Court of Appeals	Writ of review	Yes		Record	No
COLORADO	Industrial Commission	20 days No provision	District Court Supreme Court	Action to modify or vacate Writ of error	Yes Yes		Record Record	No
CONNECTICUT	Commissioner for each of 7 Districts and 1 at large	20 days	Appellate session of Superior Court* Supreme Court	Notice of appeal**	Yes		Record	No
DELAWARE	Industrial Accident Board	20 days	Superior Court	As prescribed by the court		Yes	Record	No
DISTRICT OF COLUMBIA	Division of Longshore and Harbor Workers' Compensation, O.W.C.P.	30 days 60 days	Benefits Review Board* U.S. Court of Appeals	Petition Petition	 Yes	Yes	Record Record	No No
FLORIDA	Division of Workers' Compensation	20 days	District Court of Appeals, First District	Notice of appeal	Yes		Record	No
GEORGIA	State Board of Workers' Compensation	30 days	Superior Court Court of Appeals	Notice of appeal Discretionary authority	Yes		Record	No
GUAM	Workmen's Compensation Commission	30 days	Island Court	Injunction proceedings	Yes			No
HAWAII	Disability Compensation Division	30 days	Supreme Court	Notice of appeal*	Yes		Record	Yes, if claimed within 10 days from the date case is docketed
IDAHO	Industrial Commission	30 days	Supreme Court	Notice of appeal	Yes		Record and transcript of evidence	No
ILLINOIS	Industrial Commission	20 days 30 days	Circuit Court, or City Court in cities over 25,000* Supreme Court	Certiorari Writ of error	 Yes	Yes	Record, no additional evidence	No
INDIANA	Industrial Board	30 days	Court of Appeals	As in civil action*	Yes		Assignment of errors	No
IOWA	Industrial Commissioner	30 days 20 days	District Court Supreme Court	Petition for judicial review As in civil cases	Yes Yes		Certified transcript of documents and evidence	Only when employee has right to sue uninsured employer
KANSAS	Division of Workers Compensation	20 days 30 days	District Court* Court of Appeals	Notice of appeal Notice of appeal	 Yes	Yes	Transcript of evidence and proceedings	No
KENTUCKY	Workmen's Compensation Board	20 days No provision	Circuit Court Court of Appeals	Petition, summons, answer As in civil actions (if the amount is sufficient)	Yes		Certified record Certified record or scheduled portions	No
LOUISIANA	Courts	10 days	Appellate Court Supreme Court	As in civil actions As in civil actions		Yes Yes	Transcript of proceedings Certified record	No No
MAINE	Workers' Compensation Commission	20 days*	Law Courts (only if pro forma decree entered in Superior Court)	As in equity procedure	Yes		Certified record	No
MARYLAND	Workmen's Compensation Commission	30 days No provision	County Circuit Courts or Baltimore Common Law Courts Court of Special Appeals Court of Appeals	Notice, followed by informal and summary trial As in civil cases	Yes, in occupational disease cases	Yes, except in occupational disease cases	Trial de novo	Yes, on demand
MASSACHUSETTS	Industrial Accidents Board	10 days No provision	Superior Court Supreme Judicial Court	As in civil cases As in civil cases	Yes Yes		Agreed statement of facts and findings and decision	No
MICHIGAN	Workers' Compensation Appeal Board	30 days 30 days	Workers' Compensation Court of Appeals Supreme Court	Certiorari, mandamus, or other permissible method	Yes			No
MINNESOTA	Workers' Compensation Commission*	30 days**	Supreme Court	Certiorari	Yes		Certified record***	No
MISSISSIPPI	Workmen's Compensation Commission	30 days	Circuit Court Supreme Court	Notice of appeal As in civil cases	Yes Yes		Record Record	No
MISSOURI	Division of Workmen's Compensation	30 days	Circuit Court Appellate Court	Notice of appeal As in civil actions	Yes		Certified record	No
MONTANA	Division of Workers' Compensation	30 days	Supreme Court	Notice of appeal		Yes	Certified record	No
NEBRASKA	Workmen's Compensation Court*	30 days	Supreme Court	Notice of appeal and bill of exceptions (under general laws)	Yes		Certified record	No
NEVADA	Industrial Commission Appeals Officer	No provision	District Court			Yes		
NEW HAMPSHIRE	Commissioner of Labor	30 days	Superior Court Supreme Court	Petition for a hearing		Yes	Trial de novo	No

NOTE—Other Canadian jurisdictions do not provide for judicial appeal.

[1]Generally courts may set aside an award on one of the following grounds: (1) that the Commission acted in excess of its powers, (2) that the award was procured by fraud, (3) that the facts found by the Commission did not support the award, and (4) that there was not sufficient competent evidence in the record to warrant the finding.

[2]Board may request opinion on question of law or jurisdiction on its own motion.

[3]Court has power to pass only upon question of law or jurisdiction of the Board.

Ariz. *Appeals in occupational disease cases are taken directly to Supreme Court.

Conn. *Claimant may appeal commissioner's decision to Compensation Review Division (panel of all 8 commissioners); then to appellate session of Superior Court.
**Division may certify question of law on its own motion.

D.C. *First level of appeal is to Benefits Review Board within the U.S. Department of Labor.

Hawaii *Appellate Board may certify questions of law to Supreme Court.

Ill. *If defendants cannot be found in state, then in Circuit Court of county where accident occurred.

Ind. *Board may also certify questions of law on its own motion.

Kansas. *If court fails to appeal within 60 days, Director must request decision; if no decision is issued within 30 days after request, Director must advise Supreme Court.

Maine. *10 days are allowed on appeal from pro forma decree in Superior Court, and no appeal from decree based on memorandum of agreement. Appeal does not stay payment of compensation.

Minn. *Appeals may be taken from order of compensation judge or Commissioner of Department of Labor and Industry to full Commission.
**Compensation paid under mistake of law or fact need not be refunded.
***Appeal based on error of law or fraud may be heard de novo.

Neb. *The Court is constituted the same as the boards and commissions in other states.

CHART XIV □ APPEAL PROVISIONS □ January 1, 1980 (continued)

JURISDICTION	ADMINISTRATION	TIME FOR APPEAL	TO WHAT COURT	PROCESS AND PROCEDURE	QUESTIONS REVIEWED: LAW ONLY	QUESTIONS REVIEWED: LAW AND FACT	BASIS FOR REVIEW[1]	JURY TRIAL
NEW JERSEY	Division of Workers Compensation	No provision	Appellate Division of Superior Court	Notice of appeal		Yes	Trial de novo on the record	No
NEW MEXICO	Courts	No provision	Court of Appeals Supreme Court	Writ of error or appeal, or certiorari	Yes		Certified record	No
NEW YORK	Workers' Compensation Board	30 days after decision on review* No provision	Appellate Division, Supreme Court, Third Department Court of Appeals	As in civil actions, with precedence over all other civil cases Regular appeal	Yes Yes		Record	No
NORTH CAROLINA	Industrial Commission	30 days	Court of Appeals	As in civil actions*	Yes		Record	No
NORTH DAKOTA	Workmen's Compensation Bureau	30 days No provision	District Court Supreme Court	Appeal Writ of error		Yes	Record Record	No
OHIO	Industrial Commission	60 days (no appeal in occupational disease cases) No provision	Court of Common Pleas Supreme Court	Notice of appeal and petition by claimant		Yes	Trial de novo	Yes, on demand
OKLAHOMA	Workers' Compensation Court	20 days	Supreme Court	Petition	Yes		Certified record and specifications of error	No
OREGON	Workers' Compensation Board	30 days	Court of Appeals Supreme Court	Notice of appeal Notice of appeal		Yes	Record*	No
PENNSYLVANIA	Workers' Compensation Bureau*	20 days 30 days	Commonwealth Court Supreme Court	Notice of appeal As in civil actions	Yes Yes		Certified record	No
PUERTO RICO	Manager of the State Insurance Fund	30 days 15 days	Industrial Commission or a single Commissioner Supreme Court	Appeal Petition for review	Yes	Yes (a)	Record Certified record	No
RHODE ISLAND	Director of Labor and Commission	5 days 10 days	3 members of appellate commission Supreme Court	Claim of appeal Claim of appeal	Yes	Yes	Certified documents and testimony	No
SOUTH CAROLINA	Industrial Commission—Judicial Division	30 days	Court of Common Pleas	As in civil actions	Yes		Record	No
SOUTH DAKOTA	Division of Labor and Management	30 days* 120 days	Circuit Court Supreme Court	Notice of appeal As in civil actions	Yes		Certified record	No
TENNESSEE	Courts	10 days No provision	Circuit Courts Supreme Court	As in civil actions Writ of error		Yes	Trial de novo	No
TEXAS	Industrial Accident Board	20 days	Court of county of injury or worker's residence	Suit to set aside decision of Board		Yes	Trial de novo	Yes
UTAH	Industrial Commission	30 days	Supreme Court	Certiorari		Yes	Certified record	No
VERMONT	Commissioner of Labor and Industry	30 days After 30 days	County Court* Supreme Court	As prescribed by Court As prescribed by Court	Yes	Yes	Certified record	Yes, on demand
VIRGIN ISLANDS	Commissioner of Labor	30 days	Court of competent jurisdiction	As in civil actions	Yes		Record	No
VIRGINIA	Industrial Commission	30 days	Supreme Court	As in equity	Yes		Certified record	No
WASHINGTON	Board of Industrial Insurance Appeals	60 days 30 days	Superior Court Further appeal	Notice of Appeal As in civil actions		Yes	Trial de novo, but on testimony before the Board	Yes, on demand
WEST VIRGINIA	Compensation Commissioner	30 days	Supreme Court of Appeals	Petition		Yes	Record of proceedings	No
WISCONSIN	Department of Industry, Labor, and Human Relations	30 days	Circuit Court, Dane County Supreme Court	Action against Commission As from orders	Yes		Record	No
WYOMING	Courts	70 days	Supreme Court	Petition and bill of exceptions		Yes	Record	No
F.E.C.A.	Division of Federal Employees Compensation, O.W.C.P.	90 days to a year	Federal Employees Compensation Board*	Application for review		Yes	Record	No
LONGSHORE ACT	Division of Longshore and Harbor Workers' Compensation, O.W.C.P.	30 days 60 days	Benefits Review Board* U.S. Court of Appeals	Petition Petition	Yes	Yes	Record Record	No No
NEW BRUNSWICK	Workers' Compensation Board	10 days	Appeal Division, Supreme Court	Under Judicature Act[2]	Yes[3]		Record	No
NEWFOUNDLAND	Workers' Compensation Board	30 days	Supreme Court	Petition[2]		Yes	Trial de novo unless Court directs otherwise	No
NOVA SCOTIA	Workers' Compensation Board	90 days 30 days	Workers' Compensation Appeal Board Appeal Division, Supreme Court	Appeal Petition to judge for permission*	Yes[3]	Yes	De novo Record	No No
PRINCE EDWARD ISLAND	Workers' Compensation Board	15 days	Supreme Court in banco	Petition to judge for permission	Yes[3]		Record	No

N.Y. *Compensation is paid pending appeal; if reversed, carrier is reimbursed from Administration Fund.

N.C. *Commission may certify questions of law to Court of Appeals. Commission may order payment of portion of award not in dispute.

Oregon *Court may take additional evidence on disability not available at hearing.

Pa. *Decisions of referees are subject to appeal to the Workers' Compensation Appeal Board.

P.R. *On weight of expert testimony.

S. Dak. *Commission may order payment of portion of award not in dispute.

Vt. *Then to Supreme Court on exception.

F.E.C.A. *There is no court appeal. Board has authority to make final decision on appeals.

Longshore *First level of appeal is to Benefits Review Board within the U.S. Department of Labor.

N.S. *Board may request opinion on question of law on its own motion.

CHART XV DIRECTORY OF WORKERS' COMPENSATION ADMINISTRATORS January 1, 1980

ALABAMA

Workmen's Compensation Division
Department of Industrial Relations
Industrial Relations Building
Montgomery, Alabama 36130
Mr. James M. Scott, Chief

ALASKA

Workmen's Compensation Division
Department of Labor
P.O. Box 1149
Juneau, Alaska 99811
Mr. John Cook, Director

Workmen's Compensation Board
Same address as Division
Mr. Edmund Orbeck, Chairman
Mr. Thomas Chandler, Member
Mrs. Ann Pittinger, Member
Mr. Jim Robison, Member

AMERICAN SAMOA

Workmen's Compensation Commission
Office of the Governor
American Samoa Government
Pago Pago, American Samoa 96799
Mr. Morris Scanlan, Chairman

ARIZONA

Industrial Commission
1601 West Jefferson
P.O. Box 19070
Phoenix, Arizona 85005
Mr. Charles W. Pine, Chairman
Mr. Martin Leon, Sr., Commissioner
Mr. James R. McDougall, Commissioner
Mr. R. W. Knox, Commissioner
Mr. Eugene J. Lane, Commissioner
Mr. Harry G. Kelley, Director

State Compensation Fund
1616 West Adams
Phoenix, Arizona 85007
Mr. William K. Foster, Manager

ARKANSAS

Workmen's Compensation Commission
Justice Building
State Capitol Grounds
Little Rock, Arkansas 72201
Mr. Allyn C. Tatum, Chairman
Mr. Jimmie F. Clark, Commissioner
Mr. John E. Cowne, Jr., Commissioner

CALIFORNIA

Division of Industrial Accidents
P.O. Box 603, Room 2178
San Francisco, California 94101
Mr. Franklin O. Grady, Administrative Director

Workers' Compensation Appeals Board
455 Golden Gate Avenue
San Francisco, California 94101
Mr. Melvin S. Witt, Chairman
Mr. John F. Dunlap, Commissioner
Mr. Gordon R. Gaines, Commissioner
Mr. Hubert J. Martin, Commissioner
Mr. Charles L. Swezey, Commissioner
Mr. Robert E. Burton, Commissioner
Mr. Mervin N. Glow, Commissioner

State Compensation Insurance Fund
1275 Market Street
San Francisco, California 94103
Mr. E.A. Sandberg, President

COLORADO

Department of Labor and Employment
1313 Sherman Street, Room 323
Denver, Colorado 80203
Mr. John Kezer, Director

Industrial Commission
State Services Building, 5th Floor
1525 Sherman Street
Denver, Colorado 80203
Mr. Miguel Baca, Chairman

State Compensation Insurance Fund
1313 Sherman Street
Denver, Colorado 80203
Mr. Glenn Adams, Manager

CONNECTICUT

Workers' Compensation Commission
295 Treadwell Street
Hamden, Connecticut 06514
Mr. John A. Arcudi, Chairman
Mr. A. Paul Berte, Commissioner
Mr. Thomas J. Hague, Commissioner
Mr. Harry Koletsky, Commissioner
Mr. Edward O'Brien, Commissioner
Mr. Edward F. Bradley, Commissioner
Mr. Vincent P. Tisi, Commissioner
Mr. Robin W. Waller, Commissioner

DELAWARE

Industrial Accident Board
State Office Building, 6th Floor
820 North French Street
Wilmington, Delaware 19801
Mr. Thomas E. Hickman, Chairman
Mr. Irving H. Garton, Member
Mr. Warren T. Foraker, Member
Mr. Ellsworth Jackson, Member
Mr. Edward T. Campbell, Member
Mrs. Catnryn D. Ribynski, Administrator

DISTRICT OF COLUMBIA

Office of Workers' Compensation Programs
District 40
P.O. Box 19421
Washington, D.C. 20036
Ms. Janice Bryant, Deputy Commissioner

FLORIDA

Division of Workers' Compensation
Department of Labor and Employment
Ashley Building
Tallahassee, Florida 32301
Mr. J. Baxter Swing, Director

GEORGIA

Board of Workers' Compensation
1800 Peachtree Street, N.W.
Suite 400
Atlanta, Georgia 30309
Mr. E. Earl Mallard, Chairman
Mr. Don K. Knowles, Member
Mr. James W. Paris, Member

GUAM

Director of Labor and Personnel
Government of Guam
P.O. Box 367
Agana, Guam 96910
Mr. Jose R. Rivera

HAWAII

Disability Compensation Division
Department of Labor and Industrial Relations
825 Mililani Street
Honolulu, Hawaii 96813
Dr. Joshua C. Agsalud, Director
Mr. Orlando K. Watanabe, Administrator

Labor and Industrial Relations Appeals Board
888 Mililani Street
Room 400
Honolulu, Hawaii 96813
Mr. E. John McConnell, Chairman
Mr. James H. Takushi, Member
Mr. Yukio Takemoto, Member

IDAHO

Industrial Commission
317 Main Street
Boise, Idaho 83704
Mr. Will S. Defenbach, Chairman

State Insurance Fund
P.O. Box 1038
Boise, Idaho 83704
Mr. A.C. Hartley, Manager

ILLINOIS

Industrial Commission
160 North LaSalle Street
Chicago, Illinois 60601
Ms. Rebecca Schneiderman, Chairman
Mr. LeRoy E. Duncan, Commissioner
Mr. Theodies Black, Jr., Commissioner
Mr. John E. McNeal, Commissioner
Mrs. Elsie Kurasch, Secretary

INDIANA

Industrial Board
601 State Office Building
100 North Senate Avenue
Indianapolis, Indiana 46204
Mr. Robert W. McNevin, Chairman
Mr. R.J. Noel, Member
Mr. J.J. McDonagh, Member
Mr. R.J. Cronin, Member
Mr. John A. Radar, Member
Mr. Richard F. DeTar, Member
Mr. G. Terrence Coriden, Member

IOWA

Industrial Commissioner's Office
State Capitol Complex
610 Des Moines Street
Des Moines, Iowa 50319
Mr. Robert C. Landess, Industrial Commissioner

KANSAS

Division of Workers' Compensation
Department of Human Resources
6th Floor
535 Kansas Avenue
Topeka, Kansas 66603
Mr. Bryce B. Moore, Director

KENTUCKY

Workmen's Compensation Board
127 Building
U.S. 127 South
Frankfort, Kentucky 42301
Mr. Glenn L. Schilling, Chairman
Mr. Darryl T. Owens, Member
Mr. Dennis O'Connor, Member
Mr. Earl Cornett, Member
Mr. Creighton Mershon, Member
Mr. Donald Campbell, Director

LOUISIANA

Department of Labor
1045 State Land and Natural Resources Building
Box 44094
Baton Rouge, Louisiana 70804
Mr. Curtis C. Luttrell, Commissioner

MAINE

Workers' Compensation Commission
State Office Building
Augusta, Maine 04333
Mr. James B. Perkins, Acting Chairman
Mr. George P. Limbers, Commissioner
Mr. James Coyne, Commissioner
Mr. David C. Pomeroy, Commissioner
Mr. Eugene V. Beaulieu, Commissioner
Mr. Joseph M. Jabar, Sr., Commissioner

MARYLAND

Workmen's Compensation Commission
108 East Lexington Street
Baltimore, Maryland 21202
Mr. Charles J. Krysiak, Chairman
Mr. Clement R. Mercaldo, Commissioner
Mr. Harold Lee Frankel, Commissioner
Mr. William R. Hughes, Commissioner
Mr. Edward A. Palamars, Commissioner
Mr. G. Joseph Sills, Jr., Commissioner
Ms. Carmel J. Shiow, Commissioner
Mr. Francis J. Valle, Commissioner

State Accident Fund
8722 Loch Raven Boulevard
Towson, Maryland 21204
Mr. Donald Potter, Superintendent

MASSACHUSETTS

Industrial Accidents Board
Leverett Saltonstall Office Building
100 Cambridge Street
Boston, Massachusetts 02202
Mr. William A. Pickett, Chairman
Mr. Robert J. Kelly, Commissioner
Mr. Harry Demeter, Jr., Commissioner
Mr. Joseph J. Pulgini, Commissioner
Mr. Salvatore Musco, Commissioner
Mr. Wallace B. Crawford, Commissioner
Ms. Dorothy A. Antonnelli, Commissioner
Mr. George D. Hammond, Commissioner
Mr. Raymond M. Trudel, Commissioner
Mr. Edward S. Zelazo, Commissioner
Mr. Nicholas J. Vergados, Commissioner
Mr. John G. Martin, Commissioner

MICHIGAN

Bureau of Workers' Disability Compensation
Department of Labor
309 North Washington Square
Lansing, Michigan 48909
Mr. James M. Brakora, Director
Mr. John P. Miron, Chief Deputy

Workers' Compensation Appeal Board
309 North Washington Square
Leonard Plaza Building
Lansing, Michigan 48909
Mr. Michael J. Gillman, Chairman
Mr. Ferris Arnold, Member
Ms. Nancy Day, Member
Mr. Robert Kehres, Member
Mr. Thomas Kavanaugh, Member
Mr. John Hays, Member

State Accident Fund
232 South Capitol Street
Lansing, Michigan 48914
Mr. Allison Green, Manager

MINNESOTA

Workers' Compensation Division
Department of Labor and Industry
444 Layafette Road
St. Paul, Minnesota 55101
Mr. Harry Peterson, Commissioner
Mr. B. James Berg, Administrator

Workers' Compensation Court of Appeals
Second Floor
MEA Building
55 Sherburne Avenue
St. Paul, Minnesota 55103
Hon. Robert B. McCarthy, Judge
Hon. James Pomush, Judge
Hon. Charles C. Reischel, Judge
Hon. James R. Otto, Judge
Hon. Paul V. Rieke, Judge

MISSISSIPPI

Workmen's Compensation Commission
1404 Walter Sillers State Office Building
P.O. Box 987
Jackson, Mississippi 39205
Mr. J.T. Noblin, Chairman
Mr. J. Tillis Hill, Commissioner
Mr. Shelby R. Rogers, Sr., Commissioner
Mrs. Mildred Morrison, Secretary

MISSOURI

Division of Workmen's Compensation
Department of Labor and Industrial Relations
P.O. Box 58
Jefferson City, Missouri 65101
Mr. Richard R. Rousselot, Director

MONTANA

Division of Workers' Compensation
815 Front Street
Helena, Montana 59601
Mr. Laury M. Lewis, Administrator

Workers' Compensation Court
1422 Cedar-Airport Way
P.O. Box 1225
Helena, Montana 59601
Judge William E. Hunt

State Compensation Insurance Fund
Same address as Division
Mr. A.G. Pillen, Bureau Chief

NEBRASKA

Workmen's Compensation Court
State House, 12th Floor
Lincoln, Nebraska 68509
Hon. Mark A. Buchholz, Presiding Judge
Hon. Paul E. LeClair, Judge
Hon. Ben Novicoff, Judge
Hon. James P. Monen, Judge
Hon. Theodore W. Vrana, Judge

NEVADA

Industrial Commission
515 East Musser Street
Carson City, Nevada 89714
Mr. John R. Reiser, Chairman
Mr. James S. Lorigan, Commissioner
Mr. Hal G. Curtis, Commissioner

State Insurance Fund
Same address as Commission

NEW HAMPSHIRE

Department of Labor
19 Pillsbury Street
Concord, New Hampshire 03301
Mr. Robert M. Duvall, Commissioner

NEW JERSEY

Division of Workers' Compensation
Department of Labor and Industry
P.O. Box W
Trenton, New Jersey 08625
Hon. A.J. Napier, Chief Judge and Acting Director

NEW MEXICO

Labor and Industrial Commission
509 Camino De Los Marquez
Suite 2
Santa Fe, New Mexico 87501
Mr. R.C. Brooks, Labor Commissioner
Ms. Consuelo C. Smith, Deputy Commissioner

NEW YORK

Workers' Compensation Board
Two World Trade Center
New York, New York 10047
Mr. Arthur Cooperman, Chairman
Mr. William Kroeger, Vice Chairman
Mr. Francis J. Griffin, Commissioner
Mr. Daniel J. Higgins, Commissioner
Mr. Walter Shields, Commissioner
Ms. Ilene Slater, Commissioner
Ms. Monica Gollub, Commissioner
Mr. George E. Yerry, Jr., Commissioner
Mr. Henry M. Christman, Commissioner
Mr. Ferdinand Tremiti, Commissioner
Mr. Seymour Posner, Commissioner
Mr. Ernest R. Latham, Commissioner
Mr. George H. Bevan, Commissioner

State Insurance Fund
199 Church Street
New York, New York 10007
Mr. Arnold Kideckel, Executive Director

NORTH CAROLINA

Industrial Commission
Dobbs Building
430 North Salisbury Street
Raleigh, North Carolina 27611
Mr. William H. Stephenson, Chairman
Mr. Coy Vance, Commissioner
Mr. Robert S. Brown, Commissioner

CHART XV ☐ DIRECTORY OF WORKERS' COMPENSATION ADMINISTRATORS ☐ January 1, 1980 (continued)

NORTH DAKOTA

Workmen's Compensation Bureau
Russell Building
Highway 83 North
Bismarck, North Dakota 58505
Mr. Bronald Thompson, Chairman
Mr. Quentine Retterath, Commissioner
Mrs. Loretta Jennings, Commissioner

Workman's Compensation Fund
Same address as Bureau

OHIO

Bureau of Workers' Compensation
246 North High Street
Columbus, Ohio 43215
Mr. Robert C. Daugherty, Administrator

Industrial Commission
Same address as Bureau
Mr. William W. Johnson, Chairman
Mr. Raymond Connor, Vice Chairman
Mr. Leonard T. Lancaster, Member

State Insurance Fund
Same address as Bureau

OKLAHOMA

Oklahoma Workers' Compensation Court
Jim Thorpe Building
2101 North Lincoln
Oklahoma City, Oklahoma 73105
Hon. Patrick C. Ryan, Presiding Judge
Hon. Charles L. Cashion, Judge
Hon. James M. Fullerton, Judge
Hon. Chris Sturm, Judge
Hon. Bill Cross, Judge
Hon. Dick Lynn, Judge
Hon. Mary Elizabeth Cox, Judge

State Insurance Fund
5th and Walnut
Oklahoma City, Oklahoma 73105
Mr. David Gillogly, Manager

OREGON

Workers' Compensation Department
Labor and Industries Building
Salem, Oregon 97310
Mr. Roy G. Green, Director

Workers' Compensation Board
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310
Mr. M. Keith Wilson, Chairman
Mr. Kenneth V. Phillips, Member
Mr. Robert L. McCallister, Member

State Accident Insurance Fund
400 High Street, S.E.
Salem, Oregon 97310
Mr. Charles B. Gill, Jr., General Manager

PENNSYLVANIA

Bureau of Workers' Compensation
Department of Labor and Industry
3607 Derry Street
Harrisburg, Pennsylvania 17111
Mr. Bruce Hockman, Director

Workers' Compensation Appeal Board
2601 Derry Street
3rd Floor
Harrisburg, Pennsylvania 17103
Chairman to be appointed
Mr. Edmund J. McCullough, Commissioner
Mr. Arthur H. Reede, Commissioner

State Workmen's Insurance Fund
100 Lackawanna Avenue
Scranton, Pennsylvania 18503
Mr. Anthony R. Cognetti, Manager

PUERTO RICO

Industrial Commissioner's Office
G.P.O. Box 4466
San Juan, Puerto Rico 00936
Ms. Jeannette Tomasini de Ramos, Chairman

RHODE ISLAND

Workers' Compensation Commission
25 Canal Street
Providence, Rhode Island 02903
Mr. Eugene J. Lefebvre, Chairman
Mr. John A. Notte, Jr., Vice Chairman
Mr. Robert F. Arrigan, Commissioner
Mr. William G. Gilroy, Commissioner
Mr. John Filippone, Administrator

SOUTH CAROLINA

Industrial Commission
Middleburg Office Park
1800 St. Julian Place
Columbia, South Carolina 29204
Mr. Harold B. Trask, Chairman
Mr. Paul M. Macmillan, Jr., Commissioner
Mr. T.M. Nelson, Commissioner
Mr. J. Dawson Addis, Commissioner
Mr. Holmes C. Dreher, Commissioner
Mr. Samuel E. Kirven, Administrative Director

SOUTH DAKOTA

Division of Labor and Management
Department of Labor
Joe Foss Building
Pierre, South Dakota 57501
Mr. Robert L. Thomas, Director

TENNESSEE

Workmen's Compensation Division
Department of Labor
501 Union Building
Nashville, Tennessee 37219
Mrs. Mildred Johnson, Director

TEXAS

Industrial Accident Board
Box 12757, Capitol Station
Austin, Texas 78711
Mr. H.S. Harris, Chairman
Mr. Bobby Barnes, Commissioner
Mr. Sid E. McKinney, Commissioner
Mr. Jerry Belcher, Executive Director

UTAH

Industrial Commission
350 East 500 South
Salt Lake City, Utah 84111
Mr. Carlyle F. Gronning, Chairman
Mr. Stephen M. Hadley, Commissioner
Mr. Milton E. Saathoff, Commissioner

State Insurance Fund
Same address as Commission
Mr. Dave Thomas, Manager

VERMONT

Department of Labor and Industry
Montpelier, Vermont 05602
Mr. Joel R. Cherington, Commissioner

VIRGIN ISLANDS

Commissioner of Labor's Office
Government of the Virgin Islands
St. Thomas, Virgin Islands 00801
Mr. Richard Upson, Commissioner

VIRGINIA

Industrial Commission
Blanton Building
P.O. Box 1794
Richmond, Virginia 23214
Mr. Robert P. Joyner, Chairman
Mr. M.E. Evans, Commissioner
Mr. Thomas M. Miller, Commissioner

WASHINGTON

Department of Labor and Industries
General Administration Building
AX-31
Olympia, Washington 98504
Mr. James T. Hughes, Director

Board of Industrial Insurance Appeals
410 West 5th
Capitol Center Building
Olympia, Washington 98504
Mr. Michael L. Hall, Chairman
Mr. Sam Kinville, Member
Mr. August P. Mardesich, Member

Accident Fund
Medical Aid Fund
Same address as Department
Mr. James T. Hughes, Director

WEST VIRGINIA

Workmen's Compensation Commissioner's Office
P.O. Box 3151
Charleston, West Virginia 25332
Mr. George D. Blizzard II, Commissioner

Workmen's Compensation Appeal Board
112 California Avenue
Room 115
Charleston, West Virginia 25305
Mr. John Hankins, Chairman
Mr. Louis J. John, Member
Mrs. R. Sue Core, Member

Workmen's Compensation Fund
Same address as Commissioner's office

WISCONSIN

Workers' Compensation Division
Department of Industry, Labor, and Human Relations
P.O. Box 7901
Room 152
201 East Washington Avenue
Madison, Wisconsin 53702
Mr. John Byrnes, Administrator

WYOMING

Worker's Compensation Division
State Treasurer's Office
2305 Carey Avenue
Cheyenne, Wyoming 82002
Mr. Kirk F. Jensen, Director

Industrial Accident Fund
Same address as Division

UNITED STATES

Department of Labor
Employment Standards Administration
Washington, D.C. 20210
Mr. Donald E. Elisburg, Assistant Secretary

Office of Workers' Compensation Programs
Mr. Ralph Hartman, Director

Division of Coal Mine Workers' Compensation
Mr. James R. Yocom, Acting Associate Director

Division of Federal Employees' Compensation
Mr. John D. McLellan, Associate Director

Division of Longshore and Harbor Workers' Compensation
Mr. Neil A. Montone, Associate Director

Division of State Workers' Compensation Standards
Mrs. June Robinson, Associate Director

Benefits Review Board
1111 20th Street, N.W.
Suite 757
Vanguard Building
Washington, D.C. 20036
Judge Samuel J. Smith, Chairman
Mr. Julius Miller, Member
Mrs. Ismene Kalaris, Member

Employees' Compensation Appeals Board
1111 20th Street, N.W.
Suite 531
Vanguard Building
Washington, D.C. 20036
Mr. Gerald Lamboley, Chairman
Mr. George E. Rivers, Member
Ms. Margaret Pallansch, Member
Mr. Fred E. Strine, Alt. Member

ALBERTA

Workers' Compensation Board
P.O. Box 2415
9912 107th Street
Edmonton, Alberta T5J 2S5
Mr. Roy H. Jamha, Chairman
Mr. Peter Kolba, Member
Dr. A.E. Hohol, Member
Mr. D.J. Duncan, Executive Director-Finance
Mr. T.P. Griffin, Executive Director-Claims Services

BRITISH COLUMBIA

Workers' Compensation Board
5255 Heather Street
Vancouver, British Columbia V5Z 3L8
Dr. Adam S. Little, Chairman
Mr. J.B. Paradis, Vice-Chairman
Mr. D. Davis, Commissioner
Mr. S. Brown, Commissioner

MANITOBA

Workers' Compensation Board
333 Maryland Street
Winnipeg, Manitoba R3G 1M2
Mr. W.J. Johnston, Q.C., Chairman
Mr. R. G. Jones, Executive Secretary

NEW BRUNSWICK

Workers' Compensation Board
P.O. Box 160
Saint John, New Brunswick E2L 3X9
Mr. Robert G. Jones, Chairman
Mr. J. Adolphus Picot, Vice Chairman
Mr. M.P. Fisher, Commissioner
Mr. Donald Ayer, Secretary

NEWFOUNDLAND

Workers' Compensation Board
P.O. Box 9000
Station B
St. John's, Newfoundland A1A 3B8
Mr. Edward Maynard, Chairman
Mr. Richard A. Fagan, Commissioner
Mr. Andrew G. Rose, Commissioner
Mr. Roland H. Baggs, Executive Secretary

NORTHWEST TERRITORIES

Workers' Compensation Board
P.O. Box 8888
Yellowknife, Northwest Territories X1A 2R3
Mr. J.D.C. MacLean, Chairman
Mr. A.B. Workman, Member
Mr. Bill Berezowski, Member

NOVA SCOTIA

Workers' Compensation Board
5668 South Street
P.O. Box 1150
Halifax, Nova Scotia B3J 2Y2
Mr. J.H. Cottenden, Executive Director
Mr. Burt Coutts, Member
Mr. John Link, Member
Mr. Robert K. Murrant, Member
Mr. Joseph D. Aucoin, Member
Mr. James Vaughan, Member

Workers' Compensation Appeal Board
3rd Floor, Lord Nelson Arcade
Spring Garden Road
P.O. Box 3311
Halifax, Nova Scotia B3J 3J1
Mr. Hugh J. MacLeod, Chairman
Mrs. Olive D. Swaine, Member
Mr. Daniel W. Almon, Member
Mr. James C. MacKiliop, Member
Mr. William J. Chrisholm, Member
Mr. John J. O'Brien, Executive Officer

ONTARIO

Workmen's Compensation Board
2 Bloor Street East
Toronto, Ontario M4W 3C3
Mr. Michael Starr, Chairman
Mr. A.G. MacDonald, Vice Chairman-Administration
Mr. G.W. Reed, Vice Chairman-Appeals
Mr. T.D. Warrington, Commissioner-Appeals
Mr. D.F. Hamilton, Commissioner-Appeals
Dr. W.F. Jacobs, Commissioner-Appeals
Mr. J.F. McDonald, Secretary

PRINCE EDWARD ISLAND

Workers' Compensation Board
60 Belvedere Avenue
P.O. Box 757
Charlottetown, Prince Edward Island C1A 7L7
Mr. M.E. Campbell, Chairman
Mr. William Shields, Member
Mr. Raymond Linngstone, Member

QUEBEC

Commission des Accidents du Travail
524 Bourdages Street
Quebec, Quebec G1K 7E2
Hon. Robert Sauvé, Chairman
M. Jean-Marc Jodoin, C.I.R., Vice Chairman
M. Bertrand Bellemare, Commissaire
M. Roger Mathieu, Commissaire
M. J. Gilles Masse, Commissaire
M. Gilles Neron, Secretaire general

SASKATCHEWAN

Workers' Compensation Board
1840 Lorne Street
Regina, Saskatchewan S4P 2L8
Mr. Brian N. King, Chairman
Mr. M.G. Bourne, Member
Mr. H.S. Elkin, Member

YUKON

Workers' Compensation Board
4110 4th Avenue
Suite 300
Whitehorse, Yukon Y1A 4N7
Mr. H.J. Taylor, Chairman
Mr. Gordon Wagner, Member
Mr. Thomas Walton, Member
Mr. Bruce Moore, Member
Mr. Brian Booth, Executive Secretary

CANADA

Labour Canada
Occupational Safety and Health Branch
Injury Compensation Division
Ottawa, Ontario K1A 0J3
Mr. J.F. Ellsworth, Chief

Merchant Seamen Compensation Board
Labour Canada
Ottawa, Ontario K1A 0J2
Mr. H.L. LaFramboise, Chairman
Capt. J.G. Daniels, Vice Chairman
Mr. F. Bodie, Member
Mr. J.F. Ellsworth, Secretary

ABBREVIATIONS AND COMPUTATIONS IN CHARTS

ABBREVIATIONS

AWW	—	Worker's average weekly wage
C.M.S.C.A.	—	Canadian Merchants Seamen's Compensation Act
F.E.C.A.	—	Federal Employees' Compensation Act
O.W.C.P.	—	Office of Workers' Compensation Programs, U.S. Department of Labor
NAWW	—	National average weekly wage
PP	—	Permanent partial disability
PT	—	Permanent total disability
SAMW	—	Statewide average monthly wage
SAWW	—	Statewide average weekly wage
TP	—	Temporary partial disability
TT	—	Temporary total disability

COMPUTATIONS—MONTHLY TO WEEKLY

All benefits payable other than on a weekly basis have been converted to an equivalent weekly rate. There are several methods of conversion in use, which may cause slight differences in result. This *Analysis* attempts to follow the practice of the jurisdiction wherever possible.

1. A method widely used in Canada is to multiply the monthly benefit by 12, divide by 365, and multiply the result by 7. Example for a monthly benefit of $750:

$$\frac{750 \times 12 \times 7}{365} = \$172.60$$

2. A second method is to multiply the monthly benefit by 12 and divide by 52. Example:

$$\frac{750 \times 12}{52} = \$173.08$$

3. The third method is to divide the monthly benefit by 4.3 or a similar figure because the average month contains 4.33 weeks. Example:

$$\frac{750}{4.3} = \$174.42$$

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